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The first Legislative Assembly of the Territory of Montana, pursuant to a call of the Governor met at Bannack City Monday December 12th 1864. at 12 oclock A.M. The Governor proceeded to call the roll. The following members were sworn Bell, Buck, Courtright, Deloules, Fields, Huffaker Johnson, Haynes, Mayhew, McCormick, Ryan, Stuart and Smith came forward, were sworn in by the Governor On motion of Mr Courtright Mr. Deloules was elected chairman pro tem

Mr Haynes was nominated as a candate for temporary Clerk, by Mr Smith

W.L. Brown was nominated by Mr. Mayhew for the same position.

The members proceeded to an election by ballot which resulted in the election of W.L Brown first Clerk pro tem

On motion of Mr Courtright The House Adjourned to meet on Thursday December 15th, 1864, at 10 oclock A.M.

G Deloules
Chairman Protem

W.L Brown
Clerk Protem

House of Representatives

Second day December 15th 1864

House met pursuant to adjournment

House called to order by the Chair

The following members present —

Bell Buck Courtright — Detwiler Faulds

Huffaker Johnson Mayhew McCormick Ryan

Stuart and Smith

Journal of previous evening read and approved

On motion of Mr Mayhew George M Hyde was elected Sergeant-at-Arms pro tem

On motion of Mr Johnson Aaron Haugh was elected Door Keeper pro tem

On motion of Mr Graydon the House proceeded to elect permanent officers.

George Detwiler was nominated by Mr Courtright

A. Mayhew was nominated by Mr McCormick as candidates for Speaker.

The following members voted for Mr Detwiler

Buck Faulds Courtright Johnson Mayhew Smith — 6

For Mr Mayhew

Bell McCormick Detwiler Huffaker Ryan Stuart — 6

For Choice.

The members then proceeded to a second ballot — Then declared for Mr Detwiler

Buck Courtright Faulds Johnson Mayhew Smith Stuart — 7

For Mr Mayhew

Bell McCormick Detwiler Huffaker Ryan 5

Mr Detwiler having received a majority of the votes

nominated by Mr Bo
1st
There appeared for Mr Brow
Messrs Bell Buck Courtright Stuffaker Mayhew
McCormick Ryan and Detwiler 8
For Mr Axford, Faulds, Johnson, Stuart,
and Smith, 4
William L Brown having received a majority
of the votes was declared duly elected.
George G Stearns was nominated by Mr
Smith for Assistant-clerk and J J Blake
was nominated by Mr Bell for the same office
There appeared for George G Stearns
Messrs. Buck Courtright - Detwiler Faulds
Johnson and Smith. 6
For Mr Blake Messrs Bell Stuffaker
Mayhew McCormick, Ryan and Stuart 6
No choice
Second ballot -
For George W Stearns, Bell Buck
Courtright - Detwiler Johnson Faulds Stuart -
and Smith 8
For Mr Blake, Stuffaker Mayhew
McCormick Ryan 4 (and Johnson) George
G Stearns was declared elected
W J Richardson was nominated
by Mr McCormick for enrolling Clerk and Mr
Miller was nominated by Mr Johnson (for the
same office and on ballot there appeared
for Mr Richardson, Messrs Bell Buck
Johnson McCormick, Ryan
Miller Faulds
Richardson Mr
elected
was put in nomination
Blake by Mr

Ryan Stuart and Delvler 9

For Mr Judd Faulds Johnson and Smith whereupon Mr Blake was declard elected

On Motion of Mr Courtright George W Still was declard elected Sergeant-at-arms unanimously,

Mr Haugh was put in nomination by Mr Johnson, and Mr Martin by Mr Mayhew as candidates for door keeper and on ballot- there appeard for Mr Haugh. Bell Buck Courtright Delvler Faulds Stuffaker Johnson McCormick Stuart and Smith.

For Mr Martin. Mayhew and Ryan 2 whereupon Mr Haugh was declard elected

On motion of Mr McCormick a Committee of two was appointed to invite Judge Skillerton to swear in the officers elect

Judge Skillerton appeard after having been sent for by the committee and administered the oath prescribed by Law

Mr Mayhew offered the following resolution

Resolved! That a committee of three be appointed by the Speaker, to inform the Secretary of the Territory that they have no stationery with which to proceed to business

Passed and the following named members appointed said committee Mayhew Bell and Courtright

Mr Mayhew also offered the following resolution

Resolved! -

That the Clerk be instructed to inform the Council that the House of Representatives has organized by electing George Delvler, Speaker and is now ready to receive any communication that body may see fit to make - Passed

Mr Smith offered the following resolution which was adopted

Resolved!

That a Committee of three be appointed to inform the Council, that we shall be ready to meet them in joint convention at 10 o'clock A.M. to hear the Governors Message.

Mr McCormick offered the following resolution which was adopted

Resolved!

That a committee of three be appointed by the Speaker to inform His Excelency the Governor that the House is now organized and ready to receive any communication or message he may have to deliver.

Mr Smith offered the following resolution which was adopted

Resolved

That a committee of five be appointed by the chair to draft rules and regulations for the government of the House

The Speaker announced

Messrs Smith

McCormick Johnson Stuart and Buck

said committee

On motion of Mr Mayhew-

The House adjourned to 2 oclock P.M.

House of Representatives

Second day afternoon session.

House met pursuant to adjournment Speaker in the chair

Roll called members all present.

On motion of Mr Mayhew the Clerk was instructed to inform the Secretary of the Territory, that more chairs were needed in this House.

Mr Mayhew offered the following Resolution.

Resolved. That the privileges of this House be extended to the Governor and Judges of this Territory and also members of the Bar and Clergymen. adopted

Resolved that the enrolling clerk of this House have the right to employ not to exceed two Assistant enrolling clerks.

adopted

The following resolution was recorded from Council.

Resolved. That the Secretary inform the House of Representatives that the Council have convened, formed a quorum and elected R Lawrence as President, G A Haynes Secretary Frank A Angevine assistant Secy. Robt Rainford Engrossing clerk J C Ryan Enrolling clerk H G Otis Sergeant at Arms Harris Gilman Door Keeper Sylvester Chamberlain Fireman, and Wright P. Edgerton Page and are now ready to proceed to business

It was moved by Mr Mayhew

That John A Rodgers be admitted to his seat—

Yeas. Bell Stuffleber Mayhew. McCormick and Delorier, 6

2.d Day

Nays. Buck Courtright Faulds Stuart-Smith
6

On motion of Mr McCormick Mr Rogers was admitted within the Bar.

Mr Rogers being called upon declined taking the prescribed oath and on Motion of Mr Mayhew was admitted to his seat upon taking the following oath

Territory of Montana } ss
County of Beaverhead }

I John H. Rogers do solemly swear that I will support, protect and defend the Constitution and Government of the United States, and the Organic Act of the Territory of Montana against all enemies whether domestic or foreign and that I will bear true faith allegiance and loyalty to the same, any ordinance resolution or law of any State Convention or Legislature, notwithstanding and further that I do this with a full determination pledge and purpose, without any mental reservation or evasion whatsoever. And further that I will fill and faithfully perform all the duties which may be injured of me as a member of the House of Representatives of the Territory of Montana So help me God

J. H. Rogers

Sworn and subscribed
to before me this 15th
day of Decmbr A.D. 1864

George Detwiler
Speaker of the
House of Representatives

By the following vote

Yeas, Bell, Buck, Courtright, Detwiler, Huffaker, Mayhew, McCormick, Rogers, Stuart—9, Nays Faulds Johnson and Smith 3

2nd Day

Mord by Mr McCormick that a committee of three be appointed on credentials and that they report immediately whereupon the following members were appointed said committee

McCormick Buck Stuart

On Motion of Mr Mayhew

George E Watson was elected Page.

The following Resolution was presented to the House by Mr Potter of the Council

Resolved.

That a Committee of three be appointed to notify the House that the Council will be ready to meet them in joint convention at ten A.M. December 16th A.D. 1864 to hear any Communication His Excelency Governor Edgerton may have to ~~Communication~~ make to this Legislative Assembly

The committe on credentials announced by the Speaker report- that the following named persons are entitled to seats as members of the Lower House of the first Legislative Assembly of Montana Territory Francis Sill. S.T. Buck, M Cartright George Detwiler. William Faulds E Harrison William Huffaker A.E. Mayhew H.L. McCormick John M Rogers Patrick Ryan James Stuart and A.J Smith.

On Motion Mr Buck the House adjourned to meet to-morrow in joint session at 10 oclock A.M.

House of Representatives

Third day Dec 16" 1864

House met agreable to adjournment
Mr Speaker in the chair
Present. Messrs, Bell Buck
Cowright Faulds Huffaker Johnson Mayhew
M Cormick and Stuart,
Minutes of last meeting read
and approved
On Motion of Mr Smith
A committee
of two was appointed consisting of Messrs
South and Stuart to inform the Council
that the House were now ready to receive them

The Council being announced the joint
session Commenced.
Mr Bagg of the Council.
moved that the Sergeant-at-arms inform the clerk
of the Council to be present with the roll of members
of his House, carried
Roll of both Houses called.
Absent-On motion of the Council
On motion of the House moved
That a Committee of four members, two from
each House, be appointed to inform the Governor
that the Houses were in joint session ready to
receive any communication he might be pleased
to make, carried Whereupon Messrs Potter and Yordee
of the Council and Messrs Smith and Johnson
of the House were appointed said Committee,

Mr Smith from the Committee to wait on the
Governor made the following report
That they had
discharged their duty, and that the Governor
sends the following communication,

8th Day

When the House are organized according to law and the members have taken the oath prescribed by Congress I have communication to make, and not before.

On Motion of Mr Bagg of the Council, the report of the Committee was received and the Committee discharged

Mr. Mayhew offered the following resolution Resolved,

That the Legislature proceed to perform their duties as members of the Legislature of the Territory of Montana — adopted

Mr McCormick offered the following resolution Resolved

That the President of the Joint Convention of the Legislative Assembly of the Territory of Montana appoint a joint Committee two from the Council and three from the House to prepare an address to the people of the Territory stating the difficulties that surround them in the performance of the important trusts that have been committed to their charge by the law abiding citizens of this Territory, and that said committee memorialize the General Government upon the same subject

Resolution adopted and the following Committee named.

Messrs McCormick and Mayhew of the House

Messrs. Bagg and Potter of the Council

On motion of Mr Buck the Joint session adjourned

Mr Mayhew moved that a Committee of three be appointed to confer with a committee of the Council to make

3rd Day

rules and regulations for both Houses adopted

Messrs. Mayhew Stuart and Bell

were appointed said Committee

On motion of Mr Buck the

House adjourned

to 2 o'clock P.M.

House of Representatives
Afternoon Session

House met-
Speaker in the chair
All the mentors present-

Mr Smith from the committee to draft rules and regulations for the Government of the House made the following report-and recomended its adoption

Rules of the House of Representatives

No 1 The Speaker shall take the chair at the time to which the House stands adjourned, and the House shall then be called to order, and the roll of members called, and the names of the absentees shall be intered upon the journal of the House

No 2 Upon the appearance of a quorum the journal of the preceding day shall be read by the clerk and any mistakes therein may be corrected by the House.

" 3 The speaker shall preserve order and decorum and shall decide questions of order subject to an appeal to the House.

No 4 The speaker shall vote on all questions taken by Yeas and Nays (except-an appeal from his own decision) and in all elections or decisions called for by any member.

" 5 When the House adjourns, the members shall keep their seats, untill the adjournment be announced by the Speaker

No. 6 Every member speaking to his speaking shall rise from his seat-and respectfully address himself to the Speaker

No 7. When two or more members rise at once, the Speaker shall designate the member who is first to speak; but in all cases the member who shall first rise and address the chair shall speak first

No 8. No member shall speak more than twice on the same subject without leav of the House, nor more than once untill every member choosing to speak on the question pending shall have spoken.

No 9. No motion shall be debated or put unless the same be seconded; it shall be stated by the Speaker before debate and any such motion shall be reduced to writing if the Speaker or any member desire it

No 10 After a motion shall be stated by the speaker it shall be deemed to be in possession of the House, but may be withdrawn at any time befor amendment or decision; but all motions resolutions and amendments shall be entered on the journal whether they are rejected or adopted

No 11. When a question is under debate, no motion shall be received, but to adjourn, to lay on the table, for the previous question to postpone indefinitely, to postpone to a certain day to commit or to amend; which several motions shall have precidence in the order in which they stand arranged), and a call of the House may be had upon the demand of two members,

No 12. A motion to adjourn shall always be in order except when a member is addressing the chair or a vote is being taken; that and the motion to lay on the table shall be decided without debate,

No 13

The previous question shall be in this form: shall the main question be now put? It shall only be admitted when demanded by a majority of the members present, and its effects shall be to put an end to all debate and bring the House to a direct vote upon the amendment reported by a committee - if any; upon pending amendments and then upon the main question, on a motion for a previous question, and prior to the seconding of the same, a call of the House shall be in order; but after a majority shall have seconded such motion, no call shall be in order, prior to a decision of the main question

No 14

When the previous question is decided in the negative, it shall leave the main question under debate for the residue of the sitting unless sooner disposed of by taking the question or in some other manner.

No. 15 All incidental questions of order arising after a motion is made for the previous question, during the pending of such motion, or after the House shall have determined that the main question shall be now put, shall be decided, whether an appeal or otherwise without debate.

No 16 Petitions, memorials, and other papers addressed to the House, shall be presented by the Speaker or by a member in his place

No 17 Every member who shall be present before the vote is declared from the chair, and no other shall vote for or against the same, unless the House shall excuse him or unless he is immediately interested in the question in which case he shall not vote.

No 18 When the speaker is putting the question, no member shall walk out or across the House, nor when a member is speaking shall any person entertain any private discussion or pass between him and the chair.

No 19 If the question in debate contains several points any member may have the same divided.

No 20 A member called to order shall immediately sit down, unless permitted to explain, and the House if appealed to, shall decide the case. If there be no appeal the decision of the chair shall be submitted to. On an appeal no member shall speak more than once without leave of the House, except when a member is called to order for offensive language, in which case there shall be no debate.

No 21 Every bill shall be introduced by a motion for leave, or by an order of the House on a report of a committee; and one days notice at least shall be given of a motion for leave to bring in a bill unless two thirds of the members present shall vote in favor of the bring brought in without such previous notice. Every notice of a motion for leave to bring in a bill (and every motion for leave to bring in a bill) shall be made in writing, and shall contain the title of the bill.

3rd Day

No 22 Every bill, before being introduced shall have endorsed thereon the title of the same and every bill or resolution, shall have thereon the name of the member introducing it: and when ordered by a committee the name of such committee shall be endorsed thereon,

No 23 All Bills memorials, or joint resolutions shall be read the first time for information and if opposition be made to it, the question shall be: Shall the bill be rejected? If no opposition be made or if the motion to reject be lost, the bill shall go for its second reading without a question.

No 24 All bills, memorials, or joint resolutions on their second reading, shall be read by their title and the question taken upon their commitment, amendment or engrossment for a third reading.

No 25 All bills memorials or joint-resolutions on their third reading shall be read at-length and no amendment shall be in order except by unanimous consent of the House.

No 26 All bills shall be read three times before their final passage, and may be read twice on the day of presentation unless otherwise ordered and no bill shall be passed unless it shall have been read once at-length.

No 27 No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment: no bill or resolution shall at-any time be amended, by annexing thereto or incorporating

No 27 therewith any other bill or resolution pending before the House,

No 28 In forming committees of the whole House the Speaker shall appoint a chairman to preside

No 29 Bills committed to the committee of the whole House, shall in committee of the therein be first read through unless the committee shall otherwise order, and then read and debate by sections, leaving the title to be last considered, all amendments shall be noted in writing and reported to the House by the Chairman

No 30 All questions whether in committee or in the House shall be put in the order they are moved, except in the case of privileged questions and in filling up blanks, the largest sum and the longest time shall be first put.

No 31 A similar mode of proceding shall be observed with bills which have originated in and passed the Council, as with bills originating in the House, except that they shall not be printed.

No. 32 No motion for consideration shall be in order unless on the same day, or on day following that on which the decission proposed to be reconsidered took place, nor unless one of the majority shall move such reconsideration

No 33 When notice of the intention to move the reconsideration of any bill, or joint resolution shall be given by a member, the clerk of the House

No 33 shall retain the said bill or joint resolution untill after the time during which the said motion can be made, unless the same can previously be disposed of

No 34. Any member who votes on that side of a question which prevailed may be at liberty to move a reconsideration and a motion for reconsideration shall be decided by a majority of votes,

No 35 In all cases when the House is equally divided the question shall be lost

No 36 The rules of the House shall be observed in committee of the whole House, so far as may applicable except that the yeas and nays shall not be called, the previous question enforced, nor the time of speaking limited

No 37 A motion that the committee rise shall always be in order and shall be decided without debate

No 38 Standing committees consisting of three members each, shall be appointed on the following subjects

1 Ways and Means
2 Judiciary
3 Internal improvements
4 Public lands
5 Federal relations
6 Education
7 Towns and Counties
8 Military affairs
9 Incorporations
10 Agriculture and Manufacture
11 Elections
12 Indian affairs

13 Mines and Minerals
14 Engrossment and Enrollment
15 Enrollment

No 39 The committee on engrossment shall examine all ~~House~~ bills, after they are engrossed, and report the same to the House correctly engrossed before their third reading; said committe may report at any time

No 40 The committee on enrollment shall examine all House bills, and joint resolutions, which have passed the two Houses, and when reported correctly enrolled, they shall be presented to the presiding officers of the House and Council for their signature, and when so signed, to the Governor for his approval; said committee may report at any time.

No 41 Select committees to whom references shall be made shall in all cases report a state of facts and their opinion thereon to the House,

No 42 In all cases when a bill, order, resolution, or motion shall be entered upon the journal of the House, the name of the member moving the same shall be entered upon the journal

No 43 No persons shall be admitted within the bar of the House but the Executive, members of the Council, Territorial Treasurer and Auditor, Judges of the Supreme court, District-courts, members of Congress and those who have been members of Congress, or the Legislative Council, and such other persons as the House shall deem proper to admit,

No 44 The Speaker shall cause the Clerk of the House to make a list of all bills, resolutions reports of committee and other proceedings of the House which are committed to a committee of the whole House and which are not made the order of the day for any particular day, and to number the same which list shall be called "The general order of the day" and they shall be taken up in the order in which they are numbered unless otherwise ordered by a majority of the House and the clerk shall also keep a book showing the situation and progress of bills

No 45 On the meeting of the House after the reading of the journal of the preceding day, the order of business for the day shall be as follows.

1st Presentations of Petitions
2 " Reports of standing Committees
3 " Reports of Select committees
4 " Notices
5 " Introduction of Bills
6 " Motions and resolutions
7 " Consideration of message from the Council
8 " First reading of Council Bills resolutions & Memorials
9 " Third reading of the same
10 " Third reading of House bills
11 " Consideration of general orders
12 " Unfinished business

No " 46 Whenever the report of any committee of conference contains several modifications or amendments any member may have the same divided and the question of concurrence taken severally upon each modification or amendment.

No 47 When the House have arrived at the general orders of the day, they shall go into committee of the whole upon such orders, or a particular order designated by a vote of the House, and no other business shall be in order until the whole are considered or passed, or the committee rise; and unless a particular bill is ordered upon, the committee of the whole shall consider act upon or pass the general orders according to the order of their reference

No 48 The Speaker may leave the chair and appoint a member to preside but not for a longer time than one day in fact by leave of the House

No 49 The rules of parliamentary practice entered in Jefferson Manual, shall govern the House in all cases to which they are applicable and in which they are not inconsistant with the standing rules and orders of the House, and the joint rules and orders of the Council and House of Representatives

No 50 No rule of the House shall be suspended altered, or amended, without the concurrence of two thirds of the members present

No 51 The hour of daily meeting of the House shall be ten o'clock in the morning until the House direct otherwise

No 52 The ayes and noes shall not be ordered unless demanded by two members, except upon the final passage of bills, joint resolutions and resolutions making an appropriation of money, in which case the ayes and noes shall be had without any demand

3rd Day

No 53 All House bills of general nature shall after their second reading be printed without special order from the House

No 54 All orders, joint resolutions, and memorials to Congress after they have passed both Houses shall be carefully enrolled signed by the Speaker of the House and President of the Council and forthwith transmitted by the Chief clerk of the respective Houses in which they originated, to President of the Senate and Speaker of the House of Representatives, and also a copy to our delegate to Congress.

On Motion of Mr Courtright

The report of the committee was received and the committee discharged

Mr Courtright moved that the rules reported by the committee for the government of the House be adopted, — Carried

Moved by Mr Smith that the enrolling clerk make 14 copies of the rules

Passed

The following communication was received from Mr Rogers,

Bannock City M.T.
Dec. 16th 1864

To The Speaker of the House of Representatives of Montana Territory

Sir

I hereby tender my resignation as a member of the Legislature of Montana Territory.

Yours truly T. H. Rogers

Resignation accepted

Mr McCormick offerd the following resolution,

Resolvd, By the House of Representatives of Montana Territory that that the Priviledge of the bar of the House be extended to the Hon John A Rogers during the present session,

Adopted

Mr Mayhew offerd the following resolution

Resolvd,

That the members of the House of Representatives of the Territory of Montana hereby express their sincere regret in receiving the resignation of John Rogers a Member of this House from the County of Madison,

Resolvd

That in receiving his resignation we loose a high minded Gentleman of our body, and that the county of Madison loose a good and faithful Member of the House of Representatives

On Motion the House adjourned to tomorow at 10 o'clock A M

House of Representatives

4th Day December 17th 1864

House met agreable to adjournment

Speaker in the Chair

Rollcalled

Absent Mr Mayhew

Minutes of last meeting read and approved

Mr McCormick gave notice that he would introduce a bill on Dec 20th to repeal the mormon law of Idaho Territory

Notice

Mr Mayhew gave notice that in some future day he would introduce a bill in relation to Executors and Admis

4 Day

Notice

Mr M Cormick gave notice that a bill would be introduced on Tuesday Dec 20th to grant a charter for a toll road from Virginia City to Summit City, in Madison County, to J A Millard, W C Benton, and John Atchinson and others

Granted

Mr Mayhew gave notice that on the 19th inst he would introduce a bill incorporating the Nevada City and Red Rock wagon road Company

Notice

Mr Faulds gave notice that with leave he would at some future day introduce a bill to regulate and facilitate, the necessary work required to develop quartz lodes

A Bill No 1 On leave Mr Mayhew introduced an act to incorporate the City of Virginia

A Bill No 2 On leave Mr Bell introduced an Act to incorporate The Jefferson Bridge Company

The Speaker announced the following standing committees,

Ways and Means.	Smith Ryan and Johnson
Judiciary	M Cormick, Mayhew & Buck
Internal Improvements,	Courtright-Huffaker & Faulds
Public lands,	Buck Stuart and Huffaker
Federal Relations,	Johnson, Faulds and Courtright
Education,	Smith, Bell, and Johnson
Town and Counties,	Mayhew, Smith, and Bell
Military Affairs	Huffaker, Stuart and Ryan
Incorporations,	Mayhew, Buck, and M Cormick
Agriculture & Manufactures	Faulds Bell and Buck
Elections	Bell, Courtright, and Mayhew,
Indian Affairs,	Stuart, Faulds, and Johnson,
Mines and Minerals,	Courtright, M Cormick & Smith
Engrossment & Enrollment,	Ryan Smith & Stuart
Enrollment	Ryan Smith & Stuart

HB.№1 The act to incorporate the City of Virginia, received its 1st and 2nd reading and referred to the Comte on Incorporations

HB.№2 An Act to incorporate the Jefferson Bridge company received its 1st & 2nd reading and was referred to Committee on Incorporations.

Motion Mr Huffaker moved that the Door Keeper employ some one to assist him in covering the floor with saw dust and fixing the door. — carried

Notice By permission Mr Mayhew gave notice that he would at some future day introduce a bill in relation to the Judicial Districts of the Territory of Montana and assigning the Judges thereof.

Notice On leave Mr Bell gave notice that he would at some future day introduce a bill providing for the holding of Elections in Montana Territory and regulating the manner of the same

Notice By leave of the House Mr Huffaker gave notice he would on ~~Tuesday~~ next introduce a bill incorporating the Rhine Horn Ditch Company

Notice On leave of the House Mr McCormick gave notice of the following bills he would introduce at an early day. — A Bill to regulate suits of Attachment A Bill relating to implied contracts made upon the basis of Gold dust, or gold & Silver bullion

On Motion of Mr McCormick the House adjourned to Monday at 10 o'clock A.M.

House of Representatives
Dec 9th 1864

5th Day

House met as per adjournment
Speaker in the chair Roll called
Absent. Smith and Mayhew.

Minutes of last meeting read and approved

Petition Mr Mayhew presented a petition for a road called The Nevada and Red Rock dragon road

Notice Mr Courtright gave notice that he would at some future day, introduce a bill to create ~~the~~

6th Day

Office of Inspector of Wrights and Measures

Notice — Mr McCormick gave notice that he would on Tuesday the 20th Inst. introduce a bill to incorporate the Hell Gate and Deer Lodge Wagon road company

Notice — Mr Buck gave notice he would at some future day introduce a bill to Legalize the Books of the different District Recorders of Montana Territory

HB No 3 — Mr Mayhew introduced an Act to Establish a toll road from Nevada to Sage Creek

HB 4 — Mr Mayhew introduced An Act to establish a water company in Virginia City

HB 5 — Mr Bell introduced an ~~Act~~ to incorporate the Montana and Idaho Wagon road company

HB 6 — Mr Mr Baker introduced an Act to incorporate the Ramus Horn Ditch company

HB 7 — Mr McCormick introduced An Act to incorporate the Nevada City and Red Rock Wagon Road company

HB 8 — Mr Mayhew introduced an act granting to Franklin Ruff, James Austin, Antoine Pomeau, the right to have and maintain a Ferry or Bridge across the Jefferson River on the road from Virginia City to Fort Benton, and Prickly Pear

HB 3 — House Bill No. 3, received the 1st and 2d reading and was referd to committee on incorporations

HB Nos 4, 5, 6, 7 & 8 — House bills Nos four, five, six, seven, and eight received their first and second reading and were referd to Committe on incorporations

Notice — Mr McCormick gave notice that he would at an early day introduce a bill to grant to Charles E Parks the right to construct a wagon road from the head of Pleasant valley to the mouth of Dry Creek, and to collect toll thereon

Notice Mr Mayhew gave notice that he would at some future day introduce a bill to incorporate the Ramsdown road Company

A message was received from the Council giving notice of the passage of Council Bill No 1 An Act To designate the Style of the enacting clause of the Legislative Acts of the Territory of Montana,

C.B 1

On Motion of Mr McCormick it was taken up and read the first and second time and upon the suspension of the rules read the third time and being put on its final passage, was passed unanimously,

Resolution Mr Mayhew offered the following resolution

Resolved, By the House of Representatives the Council concurring, That in order to facilitate the Districting of the Territory preparatory and for Representation that a Committee of two one from the Council and one from the House be appointed to employ some competent person to draft a map of the Territory at as early a day as possible. — Carried and Mr Mayhew appointed on the part of the House

Petition Mr Mayhew presented a petition of Franklin Ruff and others referred to committee on Incorporation

Notice On leave Mr Mayhew gave notice that on some future day he would introduce the following bills

To regulate fees of Officers of the Territory of Montana

Motion To Incorporate the town of Montana in Beaver Head County,

5th Day

Motion

On motion of Mr Mayhew the petition for a Road called the Nevada and Red Rock Wagon road was referd to committee on Incorporations

Resolution

Mr McCormick offered the following resolution

Resolved: That a committee of two be appointed by the speaker to inform the Secretary of the Territory that no committe rooms have been furnished for the use of the members of the House and that said committee request that said rooms be furnished immediately. Adopted and Messrs McCormick and Smith appointed on said committe

Mr Smith moved that a committee of two be appointed to inform the Council that the House will be ready to meet them in joint session at 2 oclock P.M. to hear the Governors message. Passed and Messrs Smith and Courtright appointed said committe,

The following message was received from the Council

Mr Speaker

We have been appointed by the Council to inform your honorable body that the council will be ready to meet the House at two oclock this P.M. to hear any communication the Governor may have to make

Frank L Worden
N Mimmen
E D Scott

On motion of Mr McCormick the House adjourned to 2 oclock P.M.

Afternoon Session

House met at 2 o'clock

Speaker in the chair Roll called

Absent Messrs Mayhew and Stuart

The members of the Council and House being in joint session The President of the Council took the chair

Roll of both Houses called

Members all present

Moved by Mr Smith that the Chief clerk of the House act as clerk of the joint session, carried

On Motion of Mr McCormick a committee of two was appointed, one from each House to wait on the Governor and inform him that that the Houses were in joint-session ready to hear any communication he might have to make, Mr McCormick of the House and Mr Thompson of the Council were appointed said committee.

The Committee appointed to wait on the Governor returned with the following report,

The committee appointed to wait on the Governor to inform him that the Houses are convened in joint session to receive any communication he may have to make have to report that we have performed the duty assigned to us and that his Excelency will forthwith communicate with the convention and that we have the honor of presenting the Governor to the convention,

Mr Cormick } cont=
Thompson }

The Governor took the stand and delivered the Message in person

6th Day

By order of the President the message was placed on file

Governor Message to the Legislative Assembly of Montana Territory

To the Honorable Council and House of Representatives of the Legislative Assembly of Montana Territory

Gentlemen

You have met here the representatives of the people in the first Legislative assembly of the Territory of Montana. To your hands is committed the honorable but responsible duty of executing such laws as may conduce to the happiness and prosperity of the people. To enact the first laws — to set in motion the machinery of Government for a young but rapidly growing Territory, is a task no ordinary import, and the limited time designed for your labors, by the act of organization will require of you the most flattent industry and unwavering devotion to business, I have no doubt you have assembled with the energy and resolute purpose commensurate with the high and responsible duties you have assumed. And it becomes my duty as well as my greatest pleasure to cooperate with you in every measure for the advancement of the interest of the Territory the Territory.

In the prosecution of our labors we should find abundant encouragement and incentive in the unparalleled growth and prosperity of our Territory. But a few years since the

country now embraced in the Territory of Montana, was little better known than the interior of Africa, a few hunters and trappers had found their way into its mountain fastnesses, but its vast resources were unknown, the rich deposits of precious metals lay concealed awaiting the all enduring energy, and patient search of the hardy miner. It is now only a little more than two years since gold was discovered here and less than six months since our Territorial organization, and now we rival the oldest of our sister Territories in population and inferior to none in future promise, within this short time large settlements have been made, Society has been organized, and Towns and Cities have sprung up with a rapidity and growth that challenges credulity, and almost realize the wildest dreams of romance, and when we take into consideration the distance we are from the settled portions of our Country the large stretch of desert and mountain, which intervenes, the growth of this Territory appears indeed marvelous and speaks well for the energy and enterprise of our people. The tide of emigration which has set in upon us with such force during the past year, will increase in power and magnitude with each succeeding year. Thousands in the states are now looking to this Territory as the field of future enterprise and at no distant day our population will not only warrant, but require our admission as one of the States of the American Union. In view of the influence emigration flocking to our Territory I would respectfully call your attention to the importance of construction of a road to the states more direct than any that has yet been opened. The usual out-

from the Missouri River both for emigration and freight as now by the way of Fort Laramie South Pass and Lander road, or by the still more circuitous one up the South Platt through Bridgers Pass and that Salt Lake City. These routes impose upon every person seeking our Territory not only hundreds of miles of unnecessary travel but require the crossing and recrossing of the Rocky Mountains. I am sure that a more feasible route can be established to the North Western States shortening the distance six or seven hundred miles and avoiding altogether the necessity of crossing the Rocky Mountains. I believe that Congress has already by An Act approved June 30th 1864 established a post road from Sioux City in the state of Iowa, via Yankton in the Territory of Dacotah, Niobrara in Nebraska, thence to Gallatin in our Territory. This route is perhaps as direct and unexceptionable as any that could be selected, and would form a continuous and nearly direct route from the North Western States to Walla Walla, could this road be opened it would be of inestimable value to this Territory, for it would be a great highway through the very heart of our Territory connecting nearly with the East and West, the Atlantic and the Pacific states, I would therefore recommend that you memorialize Congress upon this subject, asking for an appropriation sufficient to open the road at an early period, and I trust that our Delegate, will at the earliest possible moment, urge upon Congress the importance of this measure which so vitally effects our prosperity. The mining interests of the Territory will claim your early and earnest consideration, the new discoveries of Gold and Silver, establish beyond a reasonable doubt that this is to be not only

one of the richest but one of the most permanent mining countries in the Continent, these facts now so well demonstrated, will invite capital and labor, and these valleys will soon resound with the clash of machinery taking from our mountains the untold wealth which for ages has awaited the hand of industry. I would call your special attention to an act passed by the Legislative Assembly of the Territory of Idaho, and approved February 4th 1864 entitled an "act relative to the discovery of Gold and Silver Quartz Lodes, and of the manner of their location" it appears to me that this law is inadequate to the wants of our people, and some of its provisions are unjust and oppressive. The 5th Section of this Act reads as follows, Quartz claims recorded in accordance with the provisions of Section 4 of this act shall entitle the person so recording, shall hold the same to the use of himself, his heirs and assigns. Provided; That within six months from and after the date of recording he shall perform, or cause to be performed thereon work amounting in value to the sum of one hundred dollars" The provisions in this Section appears to me to be peculiarly unwise, it bears with great severity upon that hardy and persevering class of men, who have enclosed so much of prospection and labor in bringing to light the resources of the country, whatever obstacle in the way of legislation is thrown in the way of the prospector will retard our progress and development. When capital and machinery have found their way into this Territory sufficient to work those mines then it will be for the interest of persons holding claims to open them, and it will require no legislation to quicken the prompting

5-Day

of self interest. But until that time the expenditure proposed would be simply a waste of time and money. I would further suggest whether it would not be advisable to reduce a Quartz claim from two hundred to one hundred feet in length and also, whether the number of claims should not be limited each way from the discovery. Intimately connected with this subject is another in which the people of this Territory feel a deep and just interest I allude to the schems introduced into Congress for the disposal and taxation of mineral lands, while I am confident that the general Government would intentionally do nothing to our detriment, yet through a misconception of our true situation and the peculiar nature of mining interests of might inflict upon us an irreparable injury. We should be willing as we are to do our part in support of the Government under which we live but we should raise our fairest against such measures, which strike a direct blow at our prosperity. The life of the miner is one of starvation and hardship and mining is proverbially precarious, the claim which appears to day inexhaustable may tomorrow be worthless the miner should like every other person pay upon what he is worth, and taxation should rest not upon the unknown and possible, but upon the known and actual. Government should find its support in the wealth that is and not the wealth that may be. I hope we have heard the last of such measures, and that Government will adhere to the long established policy. The Government of the United States has to deal in future in three mining districts to legislate wisely.

from them is to be drawn the wealth that is to sustain its credit and redeem its promises and every miner who lifts the pick or shovel is an ally of Government and every pound of gold taken out adds to its stability and power. That mad proposition made in the last Session of Congress to have Government seize the mines and turn off the workers was a blow aimed alike at us and had its origin in the rancor of disloyalty. If mining is to be taxed (of which I think it should not be) the least oppressive and least offensive method is to tax the gold at the mint where ultimately most of the gold will find its way. I would suggest the propriety of your memorializing Congress upon this subject. The past year has been one of peace and prosperity to the people of this Territory. The numerous Indian tribes within our borders have manifested a friendly disposition, and few acts of violence or lawlessness have been perpetrated. It is for the best interest of this Territory that these amicable relations should be cultivated and continued. While I shall endeavor to punish with promptness and severity any Indian aggression upon our settlements I shall at the same time hold to a strict accountability any who may trespass upon the rights of the Indians. Only in this way can peace be maintained. You will determine whether any additional legislation is necessary for the punishment of lawless and unprincipled men who engage in unlawful traffic with the Indians. I trust that the Government will at an early day take steps for the extinguishment of the Indian title in this Territory in order that our lands may be brought into

market The agricultural interests of this Territory will claim your earliest consideration Most of the necessaries of life have hitherto been brought in from the States or Salt lake valley hundreds of miles over mountainous roads, this has rendered prices almost fabulous, taking from the miner much of his hard earnings. Our population is increasing with such rapidity that we cannot longer depend upon foreign supplies, we must look to our selves, and as soon as possible become a self sustaining people. While mining as now will ever be the paramount interest yet agriculture must form the enduring basis of our prosperity. without it we are but tributaries to and dependences upon surrounding but far distant settlements. Our necessities of condition the measure of their demands and we shall remain the victims of a heartless cupidity, and this too while we can boast of as fertile lands, of as rich valleys as any country on the continent, wheat and indeed all the cereals can be raised here in abundance, as the past year has fully demonstrated. and every vegetable that can be raised in the states, grows here yet more abundantly, Stock which in other countries require so much labor and forthought to provide for its winter subsistance, here lives and fattens through the winter in our valleys. I know of no country so inviting to the husbandman as this, where Labor meets with such sure and munificent reward. Fostering care and encouragement, I cannot this great interest, it will devolve upon you to devise some system of education to meet the immediate wants of our people; the Government with a wise forethought has made liberal

provisions for this purpose in the Organic act setting apart two sections of land in each township for the establishment of a school fund. With proper care these lands will furnish a rich endowment for our common schools placing them upon a sure and permanent basis. But these lands are not now available, and it may be years before we can realize any considerable advantage from them, hundreds of children are now in the Territory which a wise legislation will not permit to grow up in ignorance for in a free Government like ours where public measures are submitted to the judgement of the people it is of the first importance that the people should be so educated as to understand the bearing of public measures, a self ruling people must be an educated people, or prejudice and passion will assume the power, and anarchy will soon usurp the authority of Government Children are in one sense of the property of the public and it is one of the highest and most solom duties of a state to furnish ample provision for their education, & nation would find it a dear purchase but that it is cheaper to educate the boy than to punish the man, and if the education of the boy is neglected the punishment of the man may become necessity for crime and ignorance go hand in hand, The mail facilities are altogether inadequate to meet the wants of our extended and growing population, a mail route should be established from Virginia City to Gallatin, another from Virginia City to Fort Benton via, Prickly Pear valley, and one from Barrack City to Soda with Post offices at Willow creek Fort Owen, Hell Gate, and Stoke, I would recomend that you memorialize the Post Master General and ask for this additional mail service, The question of taxation will

trouble or no small difficulty, and will require much of your time - Taxation should be as light as the necessities of the public will permit, a sufficient amount of money however must be raised by Taxation to meet the internal and municipal wants of the Territory. Political economists have said that no tax law can be absolutely just and equal. Yet legislation should aim at justice and equality so that no class or occupation will bear an undue proportion of the public burdens. The unit of currency is to regulate the trade of our people and measure the amount that interest and patriotism alike require our adoption of the national currency whenever it has been adopted whether in State or Territory the increasing prosperity of the people has attested the wisdom of the measure. The loyal States that have adopted this currency notwithstanding the burdens of a gigantic and protracted War are prospering beyond all former precedent and the profits are richer than when the war commenced, Gold dust is with us an article of trade and when we attempt to make it a currency we close the door against the introduction of foreign capital, California alone among the loyal States has refused the adoption of the National Currency. The effect upon her has been most disastrous. The Governor of that State in alluding to this subject makes use of the following language "Here in California the enterprise that would develop our unbounded resources is checked and repressed for want of Capital, while the necessary amount to supply the deficiency is waiting at our doors to have its contraband spirit and its standard value adopted" Since it has been the effect upon a comparatively

old state like California, what must
be its consequence in an infant terri-
tory like ours. Let us adopt this course
& our capital will find it's way here in
thousands to quicken enterprise and en-
large the sphere of industry. It may be
necessary during the session to make some
provision for the confinement of convicts
& no suitable building can be obtained,
one should be erected as soon as possi-
ble. I have not doubt Congress will make
a liberal appropriation for that purpose.
Although we are far removed from the
scene of strife, which is devastating one
portion of our country, we cannot be in-
different to the result of the struggle.
We are a part of the great American
nation, and a part of that nation we
must ever remain. Her interest her
prosperity and glory must live dear
to the heart of every loyal man.
This unnatural rebellion had its origin
in the lust for power and the means used to
extend and perpetuate human bondage, for
years this conspiracy had been plotting dark-
ly & deep under the veil of a different
nation of Jas Buchanan, at times
off all disguise and assumed the defiant
attitude of treason, beginning in crime and
perfidy it has sought to establish its
power by atrocities the most inhuman
and appalling, ignoring the long established
rules of warfare, it has prosecuted the
war with a fiendish ferocity that would
put to blush the most uncivilized savages.
When this war commenced many in the
loyal states from long political association
with the leaders of the rebellion felt in-
sympathy with the cause and in most of

European Governments, they had active and influential advocates, but as the war has progressed their friends have deserted them, and they are no longer hope for assistance from the Northern States or recognition from abroad. The issue is fully made up between loyalty and treason, the opposing armies are in the field to decide the question by the wager of battle, and between them there is no middle ground. The people of the United States have decided with singular unanimity in their recent elections, for the prosecution of the war which was inaugurated, till every portion of the Country acknowledges the supremacy of the Constitution. I gave one pleasure to Congratulate you on the prospects of a speedy peace, the power of the rebellion is already broken, our victorious Armies now occupy the very heart of the rebellious States and thunder at the gates of their Capitols As true and loyal citizens of the United States we may still rejoice at the triumph of our National Arms and look with reasonable assurance for the restoration of peace, but it must be a peace that assures the integrity of our Country the vindication of our National honor and the recognition of man's inalienable rights. And again assuring you of my desire to Co-operate with you in every judicious act of public interest, and invoking the benediction of Heaven upon our Labors, I submit to your care and Consideration this manifest sickness of our Territory.

Sidney Edgerton
Governor

The joint Committee appointed to draft Rules and Regulations for the Government of both Houses when in joint Session, made the following report,

Joint Rules of Council & House.

1st, In every case of disagreement between the two Houses, if either House request a Conference, and appoint a Committee to confer there with upon their subject of disagreement, they shall meet at a convenient time and place to be agreed upon by their Chairman, and having Conferred freely. Each shall report to their respective Houses the result of their Conference.

2nd Where a message shall be sent from either House to the other, it shall be announced at the door of the House to which it is sent by the doorkeeper thereof, and shall be respectfully communicated to the Chair by the person by whom it is sent.

3d All Messages between the Houses shall be communicated by the Secretary or Chief Clerk, or their respective Assistants.

4th When a bill shall have passed both Houses, it shall be duly enrolled by the enrolling Clerk of the House in which it originated, and the fact of its origin shall be certified by the endorsement of the Secretary or Clerk thereof.

5th When bills are enrolled they shall be examined by a Joint Committee of two from the Council, and two from the House of Representatives, who shall be a Standing Committee for that purpose, and who shall carefully compare the enrollment with the engrossed bills, as passed in the Houses, correct any errors therein, and make report thereof, forthwith to their respective Houses.

6th After said report such bill shall be signed first by the Speaker of the House of Representatives, and then by the President of the Council, in the presence of their respective Houses

7th After the bill ... have been signed in the House it shall be presented by said Committee to the Governor for his approval, and they shall forthwith report the day of presentation, which shall be entered upon the journal of the House in which the bill originated.

8th All orders, Joint Resolutions, and Memorials to Congress, After they shall have passed both Houses, shall be carefully enrolled, Signed by the Speaker of the House, and President of the Council, and forthwith presented to the Governor for his signature, After his approval they shall be transmitted by the Chief Clerk in the House in which they originated to the President of the Senate, and Speaker of the House of Representatives, and also a copy to our Delegate in Congress.

9th When any bill, Joint Resolution, or Memorial which shall have passed in one House, is rejected in the other, Notice of such rejection shall be given to the House which has passed the same.

10th When a bill, Joint Resolution or Memorial, which shall have passed one House, is rejected in the other it shall not be again introduced during the Session without five days notice, and leave of two thirds of the members voting thereon,

11 Each House shall transmit to the other with any bill, resolution or Memorial, all papers upon which the same may be founded.

12 When each House shall have adhered to their disagreement, a bill, or resolution is lost.

13. When any bill, or resolution has passed one House, is ordered to be printed by the other, a greater number of copies shall not be printed than is necessary for the use of the House making the order, When any other bill, or Resolution, shall be ordered printed by either House, a sufficient number of copies, shall be printed for the use of both Houses.

14 It shall be the duty of the Chief Clerk of the House of Representatives, and the Secretary of the Council,

when any documents, except bills and resolutions, is ordered to be printed in their respective Houses, forthwith to communicate such order to the other House.

15 On all Elections in Joint Convention of the two Houses the Names of the members shall be arranged in alphabetical order, and they shall be called upon to vote in the order in which they stand arranged.

Moved by Mr Bagg that the Engrossing Clerks of each House draw Copies of the Joint Rules adopted.

On Motion of Mr Smith the Joint Convention adjourned Sine die.

Mr Mayhew gave notice that he would at some future day, introduce the following bills,

1st Incorporate the Junction and Black Tail Deer Creek Wagon Road Company" and the Bill to be called "Rodney Wagon Road and Ferry Company"

Mr Smith moved that 500 Copies of the Governors Message be printed for the use of the House adopted

Moved by Mr Smith that we go into Committee of the whole on the Governors Message on next Saturday

On Motion of Mr Smith the rules were suspended for the purpose of appointing a Standing Committee on Printing.

Thereupon a Committee on Printing was added to the Standing Committees of the House, and the Chair appointed said Committee Messrs Smith Courtright & Bell

On Motion of Mr Smith the Committee on Printing were instructed by the House to procure such Printing they deemed necessary for the use of the Clerk & Members thereof.

On Motion of Mr McCormick the House adjourned to 10 o'clock Morning at 10 o'clock

Sixth Day
December 20th 1864

House met pursuant to adjournment
Roll Called.
Absent Bell, Faulds and Matthews
Minutes of Yesterday read and approved.
Mr Stuart gave Notice that he would at some future day introduce a bill to incorporate the Town of Corrine.
Mr Buck gave notice that he would on Thursday next introduce a bill to Create a County out of a part of Jefferson, and
that on some future day he would introduce a bill for a Toll road through Hickory Bear Canon.

H B No 9 Mr McCornick introduced H B No 9 entitled "an act to repeal an act entitled "An act to provide a uniform System of Territorial and County Revenue and for the assessing and Collecting of the Same" which was read 1st & 2d times, and on dispensation of the Rules, was read a 3rd time, passed the House, and referred to the Committee on Engrossment.

Mr McCornick introduced H B No 10, to incorporate the Hell Gate and Deer Lodge Wagon Road Company. Read 1st & 2d times and referred to the Committee on Incorporation.

Mr Faulds introduced H B No 11 "To regulate and facilitate the work necessary to develope Quartz Lodes" Read 1st & 2d times, and on Motion of Mr Courtright was laid on the table

Mr Mayhew introduced H B No 12. "To incorporate the Junction and Black Tail Deer Creek Wagon Road Company" Read 1st & 2d times, and referred to Committee on Incorporation.

Mr Mayhew offered the following Resolution:

Resolved By the House of Representatives, and Council Concurring, The Governor of the Territory be requested to furnish to both Houses of the Legislature a full report of all the Votes polled, as soon as possible after different precint in the Territory of Montana at the last general election, Called by the Governor for the Election of Members of the Legislature and Delegate to Congress, on the 24th day of August A.D. 1864, adopted.

Mr Mayhew introduced B.B. No 13,
"An act to incorporate the Bitter Root and Kootney Wagon Road and Ferry Company."
Read 1st & 2d Times, and referred to Comtee on Incorporation

Mr McCormick Moved that we now proceed to the election of Fireman.
Mr Courtright named Mr Johnson
Mr McCormick named Mr Sullivan
Those voting for Mr Johnson were; Courtright, Faulds, Hilfaker, Johnson, Stuart, Speaker, 6
Those voting for Mr Sullivan: Bell, Buck, Mayhew, McCormick, Ryan & Smith, 6

No Choice

On Calling the Roll a second time those voting for Mr Johnson were, Courtright, Faulds, Hilfaker, Johnson Stuart, Smith & Mr Speaker. 7
For Mr Sullivan, Bell, Buck, Mayhew, McCormick and Ryan 5.

Mr Johnson was declared duly elected Fireman.

Mr McCormick offered the following Resolution.

Resolved, that the Sgt at arms of the House, be authorized to procure six Copies of the Revised Statutes of Idaho Territory for the use of the members of this House adopted.

Council Bill No 4. being presented to the House was read 1st & 2d Times, when Mr McCormick offered the following Amendment, that the words "Twenty" be inserted after the word "of" and before

the word "five" in line 10 sec. On suspension of the rules the bill was read 3d time as amended and passed unanimously.

Mr Johnson offered the following Resolution Resolved. That the Sgt at Arms be instructed to procure a Bucket Rope, and lights for the use of the House, Adopted.

The Chairman of the Court on Engrossment reported HB no 9. as engrossed, And the Court having recommended its passage, on suspension of the rules it was read a 3d time and being put on its final passage, passed unanimously.

On Motion of Mr Ryan the House adjourned to meet at 2 Oclock P M

Afternoon Session

House met Speaker in the chair

Roll called

Absent Mr Stuart.

On leave Mr Mayhew gave notice that he would on some future day introduce a bill "Regulating Deeds of Trust in the Territory"

On leave Mr Bell gave notice that he would on some future day introduce a bill "Relating to Ednay Street"

Mr M Cornick offered the following Resolution Resolved by the House, the Council concurring that each House proceed forthwith, or as early as practicable to the election of a Court of four, two from each House to act in conjunction and to report to their respective Houses a civil and Criminal Code for the Government of Montana Territory, That said Committee be known and designated as the Joint Code Committee. Adopted

Said Messrs. M Cornick and Mayhew appointed said Committee on the part of the House.

The Council returned HB no 9. as passed and it was referred to the Court on Enrollment.

On Motion of Mr Courtright the House adjourned to 10 oclock

Seventh Day.

December 21st 1864.

House met pursuant to adjournment.

Speaker in the Chair.

Absent Mr Ryan.

Minutes of yesterday read and approved.

Mr Mayhew gave notice that on the 22d Instant he would introduce a bill "Concerning Attorneys and Counsellors at law in this Territory."

Mr Buck gave notice that on to morrow he would introduce a bill for a charter for a toll road across the Jefferson River at the point known as the Gillet Crossing.

Mr Johnson gave notice that on tomorrow he would introduce an act "To construct a toll road from near Bannock city to Bald Mountain."

Mr McCormick gave notice that he would at an early day introduce a bill for Miller and others to establish a toll Wagon Road from Bannock city to Fort Owen."

Mr Bell gave notice that he would at an early day introduce a bill for a Wagon Road from Bozeman town to Virginia City in Madison County.

Mr Smith gave notice that he will at an early day introduce a bill for a Territorial Road from the City of Bannock to the South boundary of Montana Territory to intersect with the Salt Lake Road."

Mr McCormick introduced H B No 14. "An act to regulate the measure of damages in actions on express or implied Contracts, for the delivery of Gold Dust or Gold or Silver Bullion."

Read 1st & 2d times and referred to the Committee on Judiciary.

Mr Buck introduced H B No 15. "An act to legalize the Books of the District Recorder."

Read 1st & 2d Times, and referred to Com. on Judiciary.

Mr Huffaker introduced H B No 16 "An act fixing the time of Meeting of the Legislature

Assembly of Montana Territory"
Read 1st & 2d times, and referred to Comt on Judiciary.
On leave Mr Mayhew from a Select Committee
Made the following report
Report of Special Committee appointed under Joint Resolution to employ a suitable person to draft a Map for the use of the Legislative Assembly of Montana, beg leave to report that he, in connection with the Council Committee, under Joint Resolution authorizing the same, have employed Capt Wm Ockey who is to furnish, and furnish a Map of the Territory of Montana, within fifteen days from the 23d inst, for the sum of Eight hundred dollars which is to be in full for all services rendered by the Territory by the Legislative Assembly, and to be placed in the Office of the Secretary of the Territory
H. E. Taylor
On Motion of Mr Rich the Report was adopted and the Committee discharged.
The Council having returned House bill No 9. Concurred in, it was referred to the Committee on Enrollment.
The Comm on Enrollment reported that H.B No 9. Correctly Enrolled.
On leave Mr Stuart gave notice that he would on some future day introduce a bill defining and locating the boundaries of Deer Lodge County and locating the County seat.
On leave Mr Mayhew introduced H.B No 17 "An act entitled an act fixing the age of majority" Read 1st & 2d times and referred to Comt on Judiciary.
On leave Mr McCormick introduced H.B No

"An act to regulate the proceedings in Civil Cases in the Courts of Justice of the Territory of Montana."

Read 1st & 2d time and referred to the Committee on Judiciary.

On Motion of Mr McCormick the House adjourned to 2 O Clock P.M.

Afternoon Session 7th day

House met & Speaker in the Chair

Roll Called

Absent Mess Bell, Ryan, Smith.

Mr Mayhew moved that the Sgt at Arms be instructed to procure for the Engrossing and Enrolling Clerks a Table and desk for the Keeping of bills and Resolutions carried

Mr Mayhew Joint Resolution to appoint a Committee of two from each House to report to their respective Houses a Civil and Criminal Code, was returned from the Council with their Amendment "After the word Committee, and have the power to employ such Clerk or Clerks as they may require." Concurred in.

H B No 19 Mr Mayhew introduced H B No 19 "An act to prohibit Marriage and Cohabitation of Whites with Indians, Chinese and persons of African descent." Read 1st & 2d time and referred to the Judiciary Committee.

Mr Mayhew introduced H B No 20 "An act to authorize Zedekiah Stone and his Associates to Construct and Keep a Toll Bridge across the Beaverhead"

Read 1st & 2d time and referred to Corporation

On leave Mr Huffaker introduced H B No 21 "An act for the protection of Wild Game"

Read 1st & 2d time and referred to the Committee on Judiciary

Mr Mayhew introduced a Joint Resolution authorizing

7th Day

Resolved, By the House of Representatives, the Council Concurring, That a Committee of two from the House of Representatives, and one from the Council, be appointed to request the Governor of the Territory, to furnish to both Houses of the Legislature a full report of all the votes as soon as possible polled at each different Precinct of the Territory of Montana, at the last general election, Called by the Governor for the election of Members of the Legislature and Delegate to Congress, on the 24 day of October 1864.

Resolution adopted, and Messrs Mayhew and McCormick appointed.

On Motion of Mr Stuart the House adjourned to to-morrow at 10 A'Clock

8th Day. December 22d 1864

House met agreeable to adjournment

Speaker in the Chair

Roll Called: Absent: Bell & Johnson

Minutes of last meeting read and approved.

Mr Mayhew presented a Memorial of John Hubbard, and others, Citizens of Madison County. Read and referred to Committee on Mines [illegible]

H.B No 7. "An act entitled an act to provide a uniform system of Territorial and County Revenue, and for the assessing, and Collecting of the same"

The Committee beg leave to report that they have [illegible] the bill to the Governor for his approval.

Bannock City Dec 21st 1864. Ryan, Smith, Stuart } Com.

The Com. on Incorporations to whom was referred

8th day

A B No 1 "To Incorporate the City of Virginia" beg leave to report the bill back to the House with the recommendation that the bill pass with such Amendments as the House may adopt.

Mayhew Ayes
Buck 3
McConnick 3 Couth

On Motion of Mr Mayhew the Committee on Incorporations were instructed to make their report on A Bs No 1 & 7 on the 4th day of January inst, and that they be made the Special order for that day. Adopted.

Mr Stuart gave notice that he would on some future day introduce a bill "to incorporating the Mifouri and Rocky Mountain Wagon Road and Telegraph Company"

Mr Buck gave notice that he would at some future day introduce a bill "To prohibit the Sale of Ardent Spirits or Fire Arms to Indians."

Mr Mayhew presented A B No 22,
"An Act Securing Liens to Mechanics and others"
Read 1st & 2d Times and on Suspension of the rules was read the 3d time and passed.
Yeas Buck, Courtright, Sanders, Johnson, Mayhew McConnick, Ryan, Stuart and Smith ... 10
Nays None, There being no objection to the title it was agreed to.

Mr Buck introduced A B No 23,
"An act to Incorporate the Prickly Pear Wagon Road Company"
Read 1 & 2d times and referred to Committee on Incorporations.

Mr McConnick introduced A B No 24.
"An act to Incorporate the Fort Owen and Bannock City Wagon Road Company."
Read 1st & 2d times and referred to Committee on Incorporations.

Mr Johnson introduced A B No 25. "An act Authorizing A. Sullivan and A. D. Reed to Construct and Maintain a toll road in Beaver Head Cou

Read 1st & 2d time, and referred to Comt. on Incorporation
The following Message was received from the Council
Message from the Council by their Secretary Gov. Hayne
Mr Speaker:
I am directed by the Council to inform the House, that they have passed C.B. No 8
"An act to regulate the sale of Horses, Mules, Apes, Jennies, Mules, and Cattle, at Auction in Montana Territory."
Also C.B. No 9, "An act to provide for the Expenses of Montana Territory."
Also the following Resolution.
Resolved by the Legislative Council of the Territory of Montana, the House Concurring, that a Committee of one from the Council, and one from the House of Representatives, be appointed and instructed to Call upon his Excellency Governor Edgerton, and request of him an abstract of all the votes cast, at a general election had and held on the 24th day of October A.D. 1864, and that said abstract may set forth the number of votes polled in all organized and unorganized Districts or precincts as nearly as possible.
Resolution Concurred in by the House and Mr Mayhew appointed said Committee
C.B. No 8. Read 1st & 2d time Rules Suspended, Read 3rd time and put on its final passage, and passed.
Yeas, Buck, Courtright, Faulds, Johnson, Mayhew, McCormick, Ryan, Stuart, Smith & Mr Speaker 10
Nays, None.
There being no objection the title was agreed to.
C.B. No. 9. Read 1st & 2d time and referred to Committee on Ways & Means.
On Motion of Mr Mayhew, the House agreed to go into Committee of the ... at 2 O'Clock P.M. on C.C. A.B. No 1.
On Motion of Mr Mayhew the House adjourned to 2 O'Clock P.M.

8th day

Afternoon Session

House met agreeable to adjournment.

Speaker in the Chair.

Roll Called

Absent Bell, Huffaker and Stuart.

The House went into Court of the Whole on H B No1

The Court of the Whole arose and made the

following report,

Mr Speaker.

The Committee of the Whole have had under Consideration H B No. 1 "Entitled an act to Incorporate the City of Virginia" And instructed me to report the same back, and recommend its passage with the following Amendments Art 1 Sec 2, Strike out the word "Quarter" and insert the word "Corner" Also to amend Art 5, Sec 8 to insert the following after the word "Bucket" "Provided that nothing in this section shall be so construed as to deprive persons of vested rights or acquired rights, without just Compensation being made therefor by the City Government." Also to strike out all of Section 8 Article 8.

A. J. Smith Chairman

On Motion of Mr Buck the report of the Committee of the Whole was adopted.

On Motion of Mr Smith H B No1 was ordered Engrossed.

The following Message was received from the Council

Mr Speaker. — I am instructed by the Council to inform your Hon body that the following, C B No 5, has passed "An act to Create a Lien in favor of Rauchyan & others. Geo A Hayes Secty.

On Motion of Mr Smith the House adjourned.

9th day December 26th 1864

House met agreeable to adjournment.

Speaker in the Chair. Roll Called;

Absent, Huffaker & Smith

Minutes of last Meeting Read and approved.

The Court on Judiciary to whom was referred H B No 15, reported the bill back to the House and

9th Day

recommend that it pass with the following Amendment. "In line third dec. insert after the word "District" "in said County."

M Cormick
Mayhew & Buck Com.

The Court on Judiciary to whom was referred H B No 14, beg leave to report the bill back to the House, and recommend that it pass with the following Amendments: viz: line 5. Section strikes the words "the" and "also" the word "such"

M Cormick, Mayhew & Buck Com.

The Court on Judiciary reported favorably on the following bills without Amendment. H Bs Nos. 16 & 17;

Report of Court on Ways & Means.

Hon Speaker:

Your Court on Ways & Means to whom was referred H B No 9, have had the same under consideration and beg leave to report the same back without Amendment and recommend its passage. Smith Ryan & Johnson Com.

Previous notice having been given Mr McCormick introduced H B No 26. "An act to incorporate the Pleasant Valley and Dry Creek Canon Wagon Road Company." Read 1st & 2d times and referred to Committee on Incorporations.

Previous notice having been given Mr Ward introduced H B No 27, "An act to incorporate the Missouri River and Rocky Mountain [illegible] Road and Telegraph Company." Read 1st & 2d times and referred to Committee on Incorporations"

The following Communication was received from his Excellency the Governor.

Executive Office
Pamoock City Dec 25th 1864.

To the
Hon the Speaker of the House of Representatives.

Sir — I have this day Signed H B No 9, entitled "An Act to provide a Uniform System of Territorial and County Revenue and for the assessing and Collecting the same."

Respectfully yours
Sydney Edgerton Governor

9th Day

By consent of the House Mr Mayhew introduced HB No 28, "An Act in relation to marks instead of signatures" Read 1st & 2d times, and on suspension of the rules was read 3d time and passed.
Yeas: Bell, Buck, Mayhew, McCormick, Ryan, Smith, Stuart, and Mr Speaker 9,
Nays: Mr Faulds

There being no objections the title was agreed to
Mr Bell having given previous notice introduced HB No 29 "An Act to Incorporate the Gallatin and Madison Road Company" Read 1st & 2d times by title and referred to Committee on Incorporations.
The House took up HB No 5
"An Act to Create a Lien in favor of Ranchmen, and etc" Read 1st & 2d time, and referred to Committee on Judiciary.
Also HB No 9 was read 1st & 2d times, and on suspension of the rules was read 3d time and passed.
Yeas: Courtright, Faulds, Buck, Johnson, Mayhew, McCormick, Ryan, Stuart, Smith & Mr Speaker 10
Nays: None.
HB No 14, having been read 2d time at length with the Amendments, the Amendment was agreed to and the bill ordered engrossed.
HB No 15, having received its 2d Reading with the Amendments was ordered engrossed.
HB No 16, having been read 3d time at length was passed.
Yeas: Buck, Courtright, Faulds, Johnson, Mayhew, McCormick, Ryan Stuart Smith & Mr Speaker 11
Nays: None. And there being no objections the title was agreed to.
HB No 17, Having been read 3d time at length was passed.
Yeas: Bell, Buck, Courtright, Faulds, Johnson, Mayhew, McCormick, Ryan, Stuart, Smith & Mr Speaker 11
Nays: None. And there being no objections the title was agreed to.
We a Majority of the Committee on Judiciary to whom

9th day
was Refered H.R. No 19. Leg leave to report the same back and recommend its passage.
Buck & Mayhew. Majority of Com
On Suspension of the rules H.R. No 19 was taken up read 3d time at length and on Motion of Mr Stuart, was recommitted to the Committee on Judiciary.
Mr Bell offered the following resolution
Resolved, that Mr McCormick have leave of absence from the House until Tuesday the 3d of January 1865, Adopted.
Mr McCormick offered the following resolution
Resolved, That Patrick Ryan be granted leave of absence until Thursday the 29th Inst
adopted.
On Motion of Mr Mayhew the House adjourned to 2 O'clock P.M.

Afternoon Session
House met agreeable to adjournment
Speaker in the Chair.
Roll Called
Absent. Huffaker, Johnson, Mayhew, McCor
=mick and Ryan
Mr Stuart introduced a Memorial and Joint Resolution in relation to a proposed treaty with the Snake Indians. Read 1st & 2d time, and referred to Committee on Indian Affairs.
On Motion of Mr McCormick the further Consideration of the Governors Message was postponed to the 2d Tuesday of January Next.
Mr Ryan Chm of the Committee on Engrossment reported back H.B No. 14 & 15 correctly engrossed.
On Motion of Mr McCormick the House adjourned to tomorrow at 10 O'clock A.M.

10th Day House of Representatives
December 24th 1864

House met pursuant to adjournment
Speaker in the Chair.
Roll called
Absent. Faulds, McCormick, Ryan & Smith.
Minutes of last meeting read and approved.
The Comt on Indian affairs return a Memorial and Joint Resolution relative to a treaty with the Snake Indians and recommend its adoption by the House
Stuart, Johnson & Faulds
The Comt on Incorporations to whom was referred C B No 6, beg leave to report the same back to the House and recommend its passage with the following Amendment
Insert at the end of section 1 the following:
"Provided that the said Company shall not have the right to take the water out of Ramshorn Creek, when the same shall be required in the said Ramshorn Creek for mining purposes."
The following Message was announced from the Council

Council Chamber
Dec 24th 1864

Mr Speaker:— I am directed by the Council to inform your Hon body that C B No 1 "An act to legalize certain acts of the people of Montana Territory" has passed, also C B 22 "An act relating to the discovery of Gold and Silver Quartz leads, Lodes or ledges and of the manner of location"
Geo. S. Haynes, Secty Council
On Motion of Mr Mayhew C B No 22 was taken up, Read 1st & 2d times and on Motion of Mr Mayhew the rules were suspended the bill read a 3d time and passed
Yeas: Bell, Buck, Courtright, Faulds, Huff

-aker Johnson, Mayhew, Ryan, Stuart, Smith and Mr Speaker 11.
Nays: None
There being no objection the title was agreed to.
C B 13, being read 1st 2d time was referred to Committee on Judiciary.
The Court on Engrossment Report that they have examined H B No. Entitled "An act to incorporate the City of Virginia and fixed the same Correctly engrossed. Ryan chm.
Having read H B No 4, the 3d time it passed
Yeas: Bell, Buck, Faulds, Huffaker, Johnson, Ryan, Stuart, Smith and Mr Speaker 9.
Nays: None.
The title was agreed to
The Memorial and joint resolution reported back by the Court on Indian Affairs was read at length 3d time and passed.
Yeas: Bell, Buck, Courtright, Faulds, Huffaker, Johnson, Mayhew, Ryan, Stuart, Smith and Mr Speaker. 11. Nays: None
There being no objection the title was agreed to.
H B No 1. being read 3d time passed. Yeas: Bell, Buck, Courtright, Faulds, Huffaker, Johnson, Mayhew, Ryan, Stuart, Smith and Mr Speaker. 11. Nays: None.
There being no objection the title was agreed to.
H B No 6, having been ordered for information with the Amendment. The Amendment was agreed to all the bill ordered engrossed.
Mr Speaker announced the Standing Court required by Art 5. Joint Rules. Mess. Smith, Courtright were appointed said Committee.
Mr Buck, introduced H B No 3. Read 1st and 2d times, and referred to Committee on Incorporations.
On Motion of Mr Mayhew the House adjourned to 2 o'clock P.M.

10th Day. Afternoon Session
House met agreeable to adjournment
Speaker in the Chair.
Roll Called; Absent, Mr McCormick.
Mr Buck moved a reconsideration of the
Vote adopting the Amendment to House Bill No
6, Carried. And Mr Mayhew offered
the following Amendment, "That at all
times there shall be a sufficient amount
of water left in the said Kanuse Dam Creek
to run one Sluice Head" After some dis
cussion the Amendment prevailed.
A report of the Committee appointed to
request the official Vote of Governor Edg
=erton polled at the last Election, was receiv
=ed, read at length and referred to the
Committee on Elections.
On Motion of Mr Mayhew the House
adjourned to Monday Morning at 10 O'clock

11th Day. December 26th 1864
House met agreeable to adjournment.
Speaker in the Chair.
Roll called.
Absent: Duffaker, McCormick & Ryan.
Minutes of last meeting read and aproved.
The following Message was received from the
Council
Mr Speaker — I am directed by the Council
to inform your Hon. body that they have
passed the following bills of the Council.
CB No 17. "An act concerning Lost goods & Estrays"
CB No 18 "An act to prevent the Counterfeiting of
Gold dust &c" Also that they have passed
HB No 17. "An act fixing the age of Majority."
Geo A. Adgate, Secty
Mr Mayhew Chm of the Comt on Judiciary, Re
=ported back CB No 15, with the following Amend
=ent, after the word "decission" in the 2d line Section 1

11th day

Insert the following words to wit. "except Cases of Divorce" A E. Mayhew Chm Com.
Mr Mayhew introduced H B No 31 "An act to authorize James Foster to Construct a bridge, across the Gillatin River," Read 1st & 2d times, and on Suspension of the Rules read 3d time, and Passed.
Yeas: Bell, Buck, Courtright, Faulds, Mayhew, Stuart Smith, Mr Speaker 8. Nays: None.
There being no objection the title of the bill was agreed to
The Com on Engrossment report that they have examined H B No 6, and find the same correctly engrossed
Smith Stuart Com.
H B No 17, was referred to the Com on Enrollment
C B No 18, having been read 1st & 2d times was on Suspension of the rules read 3d time and passed
Yeas: Bell, Buck, Courtright, Faulds, Mayhew, Smith, Stuart, Mr Speaker 8. Nays: None.
There being no objection the title was agreed to.
C B No 13, being read the 3d time, with the Amendments reported by the Judiciary Com. the Amendment was agreed to, and being put on its final passage passed.
Yeas: Bell, Buck, Faulds, Mayhew, Mr Speaker 5
Nays: Courtright, Johnson, Stuart, Smith 4
There being no objection the title of the bill was agreed to.
H B No 6, being under consideration it was read the 3d time and put upon its final passage passed.
Yeas Bell, Buck, Courtright, Faulds, Johnson Mayhew, Stuart, Smith, Mr Speaker 9,
Nays: None.
There being no objection the title was agreed to
The Com. on Incorporation to whom was referred H B No 27, beg leave to report the same back to the House, Striking out all of said bill but the enacting Clause, and inserting there after the annexed bill, and recommend its passage. Mayhew / Buck.
Committee

11th day

The bill being read 3d time with the amendments, was put on its final passage and passed. Yeas: Bell, Buck Courtright Faulds Johnson Mayhew Stuart Smith and Mr Speaker 9. Nays. None.
There being no objection to the title it was agreed to.

The engrossing Committee to whom was referred H B Nos. Reported the same properly engrossed.

The bill was then read the 3d time and passed. Yeas, Bell, Buck, Courtright, Faulds, Johnson, Mayhew, Stuart, Smith, and Mr Speaker, 9. Nays: None.
There being no objection the title was agreed to.

The Committee on Judiciary to whom was referred C B No 6 beg leave to report the same back to the House and be commended its passage. Mayhew & Buck Comt.

The bill having been read the 3d time passed. Yeas, Bell, Buck, Courtright, Faulds, Johnson, Mayhew, Stuart, Smith and Mr Speaker 9. Nays: None.
There being no objection the title was agreed to.

All Motion of Mr Buck the House adjourned to 2 o Clock P.M.

Afternoon Session

House met as per adjournment
Speaker in the Chair.
Roll Called. Absent. Huffaker, McCormick Ryan & Stuart
The Committee on Enrollment have examined the following bills and report the same correctly enrolled.
C B No 8, C B No 9, C B No 22, H B No 17
Smith & Courtright.

The Committee on Incorporation to whom was referred H B No 2, beg leave to report the same back to the House and recommend its passage.
A. E. Mayhew Chairman

H B No 2, Having been read 3d time at length was passed.
Yeas Bell, Buck, Courtright, Faulds, Mayhew Stuart, Mr Speaker 7. Nays: None.
There being no objection the title of the bill was agreed to.

11th day.
House bill No 1 being called up the amendments passed by the Council were concurred in and ordered Enrolled.
The Joint Committee on Enrollment have presented the following bills to the Governor for his approval
C Bs Nos 8, 9, & 22, H B No 17, Smith & Courtright
Dec 26th 1864.
Court
On motion of Mr Smith the House proceeded to elect a Chaplain
Joseph Carr was unanimously elected, and Mr Smith appointed to notify him of his Election
The following Communication was received from the Council

Council Chamber
Dec 26th 1864

Mr Speaker:
I am directed by the Council to inform your Hon. body, that they have passed the following bills.
C B No 26. "An act in relation to Notaries Public"
C B No 24. "An act to prescribe the rate of interest in the Territory."
C B No 26 "An act concerning bills of exchange and Promisory Notes."
C B No 28, "An act to regulate proceedings in Criminal Cases in Courts of Justice in this Territory." also
H B No 14, An act to regulate the measure of damages in actions on express or implied Contracts for the delivery of Gold Dust or Silver Bullion."
H B No 22, "An act securing liens to Mechanics and others"
H B No 28, "An act in relation to Marks instead of Signatures"
H B No 1. "An act to incorporate the City of Virginia" with the following Amendments to wit: In the 4th line of Sec 21. of Article 5. to Amend after the word "Gambling House" to insert "Dance House" also in line 8 of Article 8. Strike out the word "Two" and insert the word "One" And after the words "Ten Dollars for" Strike out the word "each" and insert the word "said."

Geo A Haynes
Secty of Council

The Court on Judiciary to whom was referred

11th day

H B No 24 report the same back and recommend its passage. Mayhew & Buck, Comt.

The above bill being read the 3d time passed.

Yeas: Bell, Buck, Courtright, Faulds, Johnson, Stuart, Smith, Mr Speaker, 8. Nays: Mayhew 1.

There being no objections the title was agreed to.

C B No 25. being under consideration, was read 1st & 2d time, and on suspension of the rule read 3d time, and passed. Yeas, Bell, Buck, Faulds Johnson, Mayhew, Stuart, Smith, Mr Speaker, 8, Nays: None. There being no objections the title was agreed to.

The House took up C B No 24. Read 1st & 2d time, and referred to Committee on Judiciary.

C B No 26, being read 1st & 2d times, was referred to the Committee on Judiciary.

On Motion of Mr Buck the House adjourned to tomorrow morning 10 o'Clock.

12th day.

Dec 27th 1864

House met agreeable to adjournment.

Speaker in the Chair.

Roll Called: absent: Huffaker, Stuart and Smith.

Minutes of last meeting read and approved.

The Committee on Incorporation to Whom was referred C B No 20, beg leave to report the same back to the House and recommend its passage. Mayhew & Buck Comt.

The Comt. on Judiciary to whom was referred C B. Nos 24 & 26, beg leave to report the same back to the House and recommend their passage. Mayhew & Buck Comt.

Mr Smith gave notice that he would on to morrow, or some future day, introduce a bill "To incorporate the Bannock Ditch and Mining Company."

On Suspension of the Rules C B Nos 27 & 28, were read by their titles the first and Second times, and referred to the Committee on Judiciary.

The following Message was received from the Council.

Mr Speaker, ——— I am directed by the Council to inform your Hon body, that they have passed the

following bills. C B No 21 "An Act Concerning Chattle Mortgages".
H B No 27. "An act to Incorporate the Nipsawi River and Rocky Mountain Wagon Road and Telegraph Company" Geo A Hayes
Secretary of Council
C B No 24. having been read 1st & 2d times, was referred to the Committee on Judiciary."
H B, No 27. was referred to the Committee on Enrollment
C B No 26. having been read the 3d time passed.
Ayes: Bell, Buck, Courtright, Sanders, Johnson, Mayhew, Stuart, Smith, Mr Speaker 9. Nays: None.
There being no objection to the title it was agreed to.
The House took up C B No 24. Read 3d time and passed. Yeas: Bell, Courtright, Sanders, Johnson, Mayhew, Stuart, Smith, Mr Speaker 8. Nays: None. There being no objections the title was agreed to.
H B No 20. Was put upon its final passage Read 3d time and passed.
Roll Called.
Yeas. Bell, Buck, Courtright, Sanders, Johnson, Mayhew, Stuart, Smith, Mr Speaker 9
Nays None.
There being no objection to the title of the bill it was agreed to.
Mr Stuart gave notice he would at some future day introduce a bill incorporating the Town of Deerlodge
The following Message was received from his Excellency the Governor.
Executive Office
To the Hon'l Bannock City dec 21-1864
Speaker of the House of Representatives
Sir—I have this day signed House Bill No 17. Entitled "an act defining the age of Majority."
Sidney Edgerton
Governor

12th day
On Motion of Mr Courtright the House adjourned to
2 O'Clock, P.M.

Afternoon Session
House met at 2 O'Clock. Speaker in the Chair.
Roll Called.
Absent Courtright, Huffaker, McCormick & Ryan.
The Joint Com. on Enrollment have examined
H.B. No 27, and find the same correctly enrolled.
On leave Mr Mayhew introduced H.B.
No 32, having been read 1st & 2d Times, Rules suspended Read 3d time, and passed. Yeas:
Bell, Buck, Courtright Faulds, Johnson, Mayhew, Stuart, Mr Speaker 8,
Nays: None.
No objections being made to the title it was agreed to.

Mr Smith from the Joint Committee on Enrollment gave notice that H.B. No 27, was this day presented to the Governor for his Signature.

On leave Mr Bell, introduced H.B. No 34,
Read 1st & 2d Times, and referred to the Committee on Judiciary.

On leave Mr Mayhew introduced H.B. No 36.
Read 1st & 2d time, and on suspension of the Rules was read 3d time and passed.
Yeas, Bell, Buck, Courtright, Faulds, Johnson, Mayhew, Stuart, Smith, Mr Speaker 9.
Nays: None.
There being no objection the title was agreed to.

The following message was received from the Council.

Council Chamber Dec 27. 1864.

Mr Speaker:

I am directed by the Council to inform Your Hon. body, that they have refused to Concur in the amendment by the House to Council Bill No 13.

Geo A Hynes
Secty of Council

12th day.

On Motion of Mr Mayhew the House re-Considered the vote by which they passed C/B No 13. And on motion of Mr Smith it was indefinitely postponed.

On leave Mr Bell introduced H/B No 35 Read 1st & 2d times. Mr Smith offered the following Amendment. To Strike out Sec 3 and insert the following. "A general election shall be held in the several election precincts in this Territory on the 2d Tuesday of October in each year, at which shall be chosen all such Officers as are by law to be elected in such year unless otherwise provided for." The Amendment was rejected by the following vote

Ayes. Faulds, Johnson & Smith 3.

Nays: Bell Buck, Courtright, Mayhew, Mr Speaker 5.

On Motion of Mr Mayhew the bill was referred to the Committee on Elections.

On Motion of Mr Courtright the House adjourned 13th Day.

Dec 28th 1864.

House met. Speaker in the Chair.

Prayer by the Chaplain.

Roll Called. Absent. Huffaker & Smith.

Minutes of yesterday Read and approved.

The Com. on Judiciary to whom was referred C/B No 21. beg leave to report the same back and recommend its passage. Mayhew & Buck Com.

The following Message was received from the Council.

Council Chamber Dec 28th 1864

Mr Speaker:

I am directed by the Council to inform your Hon. body, that they have passed C/B No 3, "An act declaratory of the rights of occupants of the Public Domain except as against the United States."

Geo. A Hynes Secty of Council

Mr Mayhew introduced H/B No 36. Read 1st & 2d times and referred to the Committee on Judiciary.

C/B No 3. being under Consideration it was read

1st & 2d Times, and referred to Court, on Public Grounds.

C B No 21. having been read the 3d time passed.
Yeas: Bell, Buck, Cockbright, Faulds, Johnson, Mayhew
Stuart, Smith, Mr Speaker. 9. Nays. None.
There being no objection the title it was agreed to
The Joint Committee on Enrollment have exam=ined the following bills and find them Correctly
Enrolled. H & B Bs Nos 14, & 28, and C Bs Nos 5 & 24
Smith & Cockbright Comt.

The Committee on Judiciary to whom was
referred H & B No 34 have had the same under
Consideration, and beg leave to report the
same back and recommend its passage.
Mayhew & Buck Committee

H B No 34. having been read the 3d Time passed
Ayes: Bell, Buck, Faulds, Johnson, Mayhew,
Stuart, Smith, & Mr Speaker 8. Nays None.
No objection being made the title was agreed to.

Mr Mayhew gave notice that at some fut=ure day he would introduce a bill "Creating the office of District Attorney in each of the Organized Counties, or Judicial districts of Montana Territory and to define their duties privileges and Powers and fix their Salaries &c,

On motion of Mr Johnson the House adjourned to 2 O'Clock P.M.

15th Day. Afternoon Session
House met agreable to adjournment.
Speaker in the Chair.
Roll Called, Absent: Mr Speaker & Cockbright.
The following Message was received from the Council,

Council Chamber Dec 28th 1864
Mr Speaker:=I am directed by the Council to in=form your Hon body, that they have passed the following bills. H B No 16, "An act fixing the Time of Meeting of the Legislative Assembly of the Territory of Montana," with the following Amend=ments: To insert the word "November" in place

13th Day. "December" in Sect. line 3. also
CB No 19. "An act to incorporate the Beaver Head Mining Co."
CB No 29. "An act to incorporate the Montana Gold and Silver Mining Company."
CB No 32. "An Act to divide the bonds of matrimony between Leonard A. Gridley and Miranda E. Gridley
Geo. A. Hynes, Secty of Council
CB No 29. having been read the 1st & 2d time, was on suspension of the Rules [read 3d time, and] passed
Yeas. Bell, Faulds, Johnson, Mayhew, Stuart, Smith and Mr Speaker 7. Nays. None.
There being no objection the title was agreed to.
CB No 32. having been read 1 & 2d time was on Motion of Mr Courtright referred to a Special Committee of two: Mr Speaker appointed Courtright and Johnson as said Committee
CB No 19. Was Read 1st & 2d time and referred to the Court on Incorporations.
The Special Committee to whom was referred CB No 32. respectfully report the same back to the House and recommend its passage.
Courtright & Johnson Committee
On Motion of Mr Smith the Report was received and the Comm discharged, and on suspension of the Rules read 3d time and passed.
Yeas. Bell, Faulds, Courtright, Johnson, Mayhew, Smith & Mr Speaker 7. Nays. Buck & Stuart 2
There being no objection the title was agreed to.
The following Message was received from the Governor.
Bannock City Dec 27th 1864.
To the Hon the Speaker of the House of Representatives
I have this day signed HB No 27 Entitled An Act to Incorporate the Missouri River & Rocky Mountain Wagon Road and Telegraph Co.
Sidney Edgerton Governor
On Motion of Mr Courtright the House adjourned to tomorrow Morning at 10 o'Clock.

14th Day. Dec. 29th 1864

House met agreeable to adjournment. Speaker in the Chair. Prayer by the Chaplain Roll called.

Absent: Mess. Huffaker and Mayhew. Minutes of last meeting read and approved. The Joint Committee on Enrollment have examined H.B. No 1 and find the same correctly Enrolled

Smith Chn.

The Committee on Public Lands to whom was referred C.B. No 8. report the same back to the House and recommend its passage without Amendment Buck Millard Cook

Mr Johnson gave notice he would at some future day introduce a bill to regulate wrecking

The following Message was received from the Council.

Council Chamber Dec 29/64

Mr Speaker: I am directed by the Council to inform your Hon. body that they have passed the following bills.

C.B. No 15 "An act to incorporate the Historical Society of Montana"

C.B. No 35. "An act to prevent the trespassing of animals upon Private property."

H.B. No 6. "An act incorporating the Rams Horn Ditch Company." Geo. A. Haynes

Secty of Council.

Mr Bell introduced H.B. No 37. "An act authorizing Rose Beaumont and Robt Hill to establish and maintain a Toll road from Bannock City to Beaver Head Valley" Read 1st & 2d time, and referred to the Committee on Incorporation.

Mr Buck, introduced H.B. No 38. "An act to establish a County out of part of Jefferson and locate the County Seat thereof" Read 1st & 2d time, and referred to Court on Towns and Counties.

Mr Buck introduced H.B. No 39. "An act to prohibit the sale of ardent Spirits or fire arms to Indians. Read 1st & 2d time, and on suspension of the rule read 3d

Time and passed.
Yeas, Bell, Buck, Cowtright, Faulds, Johnson, Mayhew
McCormick, Stuart, Smith Mr Speaker 10
Nays: None. No objections being made the title was
agreed to.
C/B No 35. having been read the 1st & 2d time was
referred to the Committee on Judiciary.
C/B No 15. having been read 1st & 2d time, was on
on Motion of Mr McCormick referred to a
Select Committee of five, Mess McCormick
Courtright, Buck, Faulds and Johnson, were
appointed said Committee.
C/B No 3. having been read 3d time passed
Yeas. Bell, Buck, Courtright, Faulds, Johnson, Mayhew
Stuart, Smith, Mr Speaker 9. Nays: None
Mr McCormick was excused from voting
There being no objection the title was agreed to.
The following Message was received from his Excellency
the Governor.

Executive Office
Helena City Dec 28th 1864.

To the House of Representatives.
Mr Speaker:— Sir — I have this day
signed H B No 28. Entitled "An Act" in relation
to marks instead of signatures.
Sidney Edgerton Governor

H B No 16. being under consideration the amend
ments made by the Council were agreed to.
On Motion of Mr Bell the House adjourned to
2 o'clock P.M.

Afternoon Session
House met agreeable to adjournment
Speaker in the Chair Roll Called
Absent Shuffleter and McCormick
Mr Mayhew introduced H B No 40. "An Act to
prevent the sale of intoxicating liquors to Sol-
diers" Read 1st & 2d time by its title and on Suspen-
sion of the Rule Read 3d time and passed.
Yeas, Bell, Buck, Courtright, Faulds, Johnson, Mayhew
McCormick, Stuart, Smith Mr Speaker. 10. Nays: None.

14th Day

There being no objection the title was agreed to.
Mr Smith introduced H B No 41. "An act regulating the width of roads" Read 1st & 2d time, and referred to Committee on Internal Improvements.
Mr Smith from the Joint-Committee on Enrollment reports H B No 10 & H B No 22, as having presented to the Governor for his signature.
The Committee on Judiciary to whom was referred H B No 36, beg leave to report the same back to the House with the recommendation that the same pass without Amendments. McCormick, Mayhew & Buck, Com.
H B No 36. having been read 3d time passed
Yeas, Bell, Buck, Courtright, Faulds, Johnson, Mayhew McCormick, Stuart, Smith, Mr Speaker, 10, Nays, None
There being no objection to the title it was agreed to.
On Motion of Mr McCormick the House adjourned.

15th Day.

Dec 30th 1864

House met agreeable to adjournment.
Speaker in the Chair. Prayer by the Chaplain
Roll Called
Absent Messrs Chessman & Smith.
Minutes of last Meeting read and approved.
The Special Committee to whom was referred H B No 1. report - the same back with their opinions and recommend the bill be laid on the table
McCormick, Courtright
Johnson, Buck and Faulds,
On Motion of Mr Courtright the report of the Committee was laid on the table
Mr. Faulds gave notice that he would on tomorrow introduce a bill to enable Volunteers in the United States Service or members of the Militia of the Territory of Montana, to hold Mining and other Claims," Also he would on a future day introduce a bill "Concerning Fences."
Mr Bell introduced H B No 42, "An act to open

the property of Married Women from Execution in certain Cases." Read 1st & 2d times, and referred to the Committee on Judiciary.
Mr Johnson introduced H B No 43
"An act to protect and regulate the Irregation of land" Read the 1st & 2d times, and referred to the Committee on Agriculture.
The following Message was received from the Council. Council Chamber Dec 30th 1864.
Mr Speaker: I am directed by the Council to inform your Honble body that they have passed.
C B No 30. "An act to prevent the destruct Records in relation to Lands, Lots and Ledges."
H B No 20. "An act to authorize Dedrick & Stone and his Associates to construct and keep a Toll Bridge across the Beaver Head."
Also the following Notices were introduced
Notice of bill to Incorporate the Jefferson Town Co.
To Incorporate the Bannock and Mountain City Wagon Road Company and to provide for and regulate the rates of Charges for the publication of legal documents." Signed Mr Merriman
Notice of bill to provide for the expense of Montana Territory" Hon. A. Stevens
Society of Council
The Committee on Internal improvements have had under Consideration H B 41, and recommend its passage. Courtright and Faulds
H B No 41, having been read the 3d time passed
Yeas. Bell, Buck, Courtright, Faulds, Johnson, Mayhew, McCormick, Stuart, Smith, Mr Speaker 10.
Nays: None.
There being no objections the title was agreed to.
The Committee on Judiciary to whom was referred C B No 33. beg leave to report the same back and recommend its passage without amendment.

15th Day
The bill having been read the 3d time passed.
Yeas: Bell, Buck, Courtright, Faulds, Johnson, Mayhew,
McCornick, Stuart, Smith Mr Speaker 10,
Nays: None. There being no objections the title was
agreed to.
On motion of Mr Stuart the House adjourned to
2 O'Clock P.M.

Afternoon Session
House met agreeable to adjournment
Speaker in the Chair — Roll Called.
Absent Mr Duffaker
Mr Mayhew introduced H.B No 44 An act for
the Compensation of D.D Chamberlin for
Services rendered, and Money expended.
Read 1st & 2d Times, and on suspension of the Rules
was read the 3d time and passed.
Yeas: Bell Buck Courtright Faulds Johnson
Mayhew, McCornick, Stuart, Smith, Mr Speaker 10.
Nays None
There being no objections the title was agreed to.
Mr Mayhew introduced H.B No 45. "An act to
Incorporate the Town of Moulton."
Read 1st & 2d Time, and on suspension of the rule
read 3d time, and passed,
Yeas: Bell, Buck, Courtright, Faulds, Johnson,
Mayhew, McCornick, Stuart Mr Speaker 9,
Nays: None, there being no objection the title was agreed to
The Court on Enrollment have examined H.B. No's 6 & 16
and find them Correctly Enrolled, Smith & Stuart Court
Mr Mayhew from the Committee on Incorporations
reported back H.B No 8, After much discussion
it was read 3d Time and passed,
Yeas: Bell, Faulds, Johnson, Mayhew, McCornick,
Stuart and Smith 7,
Nays: Buck, Courtright and Mr Speaker 3,
There being no objection to the title it was agreed to.
The Joint Committee reported they have presented
H.B No 6, and H.B No 16, to the Governor for
his Signature.

15th day

The Committee on Judiciary to whom was referred HB No 46. report it back to the House and ask that it pass with the following Amendment at the end of line 17 of section 5. add the words "of said Territory"

McCormick Chrm

The bill with the Amendment having been read for information the Amendment was agreed to and having been read 3d time passed.

Yeas: Bell, Buck, Courtright, Faulds, Johnson, Mayhew, McCormick, Mr Speaker 8.

Nay, Mr Lewis 1

There being no objection the bill was agreed to.

The Committee on Judiciary to whom was referred HB No 42, Report the same back to the House and recommend the passage with the following Amendments.

On line 11. Sec 1, insert between the words "and" and for the "procured" on line 12. strike out "the family" and insert the words "herself and children under the age of eighteen years."

McCormick Chrm

HB No 42. having been read with the Amendment for information the Amendment was agreed to and the bill ordered Engrossed.

On Motion of Mr Courtright the House adjourned.

16th Day

Dec 31st 1864.

House met agreeable to adjournment.
Speaker in the Chair.
Prayer by the Chaplain.
Roll Called.
Absent Huffaker, Ryan, & Ward,
Minutes of last meeting read and approved
Mr Johnson gave notice that he would
on to-morrow or some future day intro=duce a bill incorporating the Union Mill Company."
Mr Fowler introduced A B No 46,
"An Act to enable Soldiers to hold claims"
Read 1st & 2d time and referred to the Commi=ttee on Judiciary.
The Comm on Incorporations to whom was referred A B No 10, beg leave to make the following report. Strike out all of said bill except the enacting Clause and insert the following as a substitute

P Mayhew Chr^m

The bill having been read at length with the Amendment was agreed to. The bill was then further amended by striking out the word "twenty" in line 7, Sec 8, and inserting the word "fifteen"
On Motion of Mr Bell the bill was recom=mitted to the Committee on Incorporations
The Committee on Enrollment reported that they have examined A B No 20 and find the same correctly enrolled.

P Ryan Chairman

The following Message was received from the Council.

Council Chamber Dec 31st 1864

Mr Speaker: — I am directed by the Council to inform your Hon body that they have passed A B No 32, "An act granting a charter to James ~~Bidgood and Robert~~ Osgood for a ferry ~~along the~~ Humboldt River

on Bridger Cut off. also House Memorial No 1. "For a proposed treaty with the Snake and Crow Indians
I am further instructed to say that the following notices for the introduction bills were received.
Notice of a Memorial asking Congress for an additional appropriation to meet the expenses of this Territory
Notice to incorporate the Rocky Mountain Gold & Silver Mining Company.
Notice Concerning the writ of Habeas Corpus"
Leo A Hayned
Secty of Council,
The joint Committee on Enrollment have examined H B No 20, and find the same Correct
Smith Chm.
Mr Smith gave notice of the presentation of H B No 20. to the Governor for his Signature.
The following Message was received from his Excellency the Governor.

Executive Office
Bannock City Dec 31st 1864.

To the Speaker of the House of Representatives

Sir I have this day signed H B No 6. entitled "An act to incorporate the Ramus Horn Ditch Company"
Also H B No 14. Entitled "An act to regulate the measure of Damages in actions in express & implied Contracts for the delivery of Gold or Silver Bullion
Also H B No 16. Entitled "An act fixing the time of meeting of the Legislative Assembly of the Territory of Montana.

Respectfully yours
Sidney Edgerton Governor

The Committee on Mines and Minerals to whom was referred C.B No. 39, have had the same under consideration and recommend the following Amendments. Courtright, McCormick Court

In Sec 1 line 2 Strike out the words "or an abstract thereof"

Sec 2 line 3. Strike out the words "or an abstract thereof"

Sec 2 line 6. Instead of "sixty" insert "Thirty"

Sec 2 line 7. After the word "passage" insert the word "and" also strike out all of eighth line.

Sec 5, line 6. After the word "Cents" insert "to be paid by the District Recorder"

Strike out all of line 4 after the word "Approval" and insert by the Governor

The bill having been Read by with the Amendments, the Amendments were agreed to, and the bill read a 3d time and passed.

Ayes. Bell, Buck, Courtright, Faulds, Johnson Mayhew, McCormick, Ryan, Smith, Stuart and Mr Speaker, 11. Nays, None

There being no objection the bill was agreed to.

The Committee on Incorporations to whom was referred C.B No. beg leave to refer the said bill back to the House and recommend its passage.

Mayhew, McCormick & Buck Court

The bill having been read 3d time passed.

Ayes. Bell, Buck, Courtright, Faulds Mayhew McCormick, Ryan, and Mr Speaker, 8

Nays Johnson, Stuart, and Smith, 3

There being no objections the bill was agreed to.

The Committee on Engrossment reported they had examined C.B No 42, and found the same Correctly engrossed

On Motion of Mr Courtright the House adjourned to 2 O'Clock P.M.

Afternoon Session

House met agreable to adjournment

Speaker in the Chair

Roll Called. Absent Mr Stuffaker

On Motion of Mr McCormick the House instructed the Sgt at Arms to procure News papers and Postage Stamps for the use of the members.

Mr McCormick offered the following resolution Resolved: That when the House adjourns it adjourn until January 5th 1865, at 10 oclock A. M. Passed.

On Motion of Mr Bell the vote was reconsidered.

Mr Mayhew moved to Strike out the 5th and insert Wednesday January 4th 1865. Carried

The Committee on Agriculture to whom was referred H B No 45 Report the same back to the House and recommend its passage with the following Amendment

In Sec 4. line 3. Strike out the word "acknowledged" and in the same Section add in case the damages shall exceed the Justices jurisdiction of the Justice of the peace the Commissioners shall report to the Probate Judge of the County, who shall proceed in the same manner as required of the Justice of the Peace. Amended

Bell Buck & Court

The bill with the Amendments having been read the amendments were agreed to and the bill ordered engrossed.

A Majority of the ~~Committee~~ on Incorporation to whom was referred H B. No 10. Report the same back to the House with the recommendation that it pass with the following Amendments

Sec 10. "Said Company shall make no less than two Switches or passing places for Wagons on the first grade on the Road above Otter Big

Blackfoot River McCornick v Buck.

Mr Bell made a Motion to Strike out the word "fifteen" and insert the word "Ten" in line 7 Sec 8. Lost. Ayes 8 Nays 6 as follows

Ayes, Bell, Courtright, Faulds, Mayhew, Ryan, Speaker, Buck, Johnson, McCornick, Stuart, Smith, Mr Speaker 6

Mr Mayhew offered the following amendment to sec 2, "That the said Company shall keep the said road in good safe travelling condition in all seasons of the year, and in case that any part of said road is impassable the said Company shall not collect Toll at any of the gates of said road." Adopted and the Bill ordered engrossed.

The Comt. on Incorporations to whom was referred H B No 13, beg leave to report and recommend Striking out all but the enacting Clause, and put the following instead, Mayhew.

McCornick v Buck Comt

The bill with the Amendments having been read at length, the amendment was agreed to, and the bill ordered a 3d time and passed.

Ayes: Bell, Buck, Courtright, Faulds, Mayhew, McCornick, Ryan, Mr Speaker 8

Nays: Johnson, Stuart, Smith. 3

There being no objection the bills was agreed to.

The Committee on Enrollment to whom was referred H B No 32. report the same correctly Enrolled.

J Ryan Chairman

On Motion of Mr Courtright the House adjourned to Wednesday Morning next at 10 o'clock

17th Day. Wednesday Jan 4th 1865

House Met agreeable to adjournment.
Speaker in the Chair. Prayer by the Chaplain.
Roll Called. Absentist, Huffaker Ryan & Smart
Minutes of last Meeting read and approved.
Mr McCormick gave notice he would on Tomorrow introduce a bill Incorporating the Brandon Town Co.
Mr Bell gave notice he would on to morrow introduce a bill Creating a lien in favor of Racehunen and others," also
On some future day a bill Concerning Guardians and Wards."
Mr Bell gave notice he would on Tomorrow introduce a bill Incorporting the Jefferson Mining Co.
The following Message was received from the Council

Council Chamber
Jan 4th 1865

Mr Speaker:
I am directed by the Council to inform your Hon body that they have passed the following bills.
C B No 10. "An act granting to R.T. Harris and others the right to have and Maintain a Ferry or Bridge across the waters of the Yellow Stone River on the road from Bozeman City to Yellow Stone City ow the Cut off"
C B No 39. "An act to provide for and regulate the rate of Charges for the Publication of legal documents"
H B No 32. "An act granting a Charter to James Bridger and Robert Hereford for a Ferry across the Yellow Stone River ow Bridger Cut off."
H B No 34. "An act providing punishment for certain Officers"
H B No 40. "An act to prevent the Sale of intoxicating liquors to Soldiers."
H B No 41. "An act regulating the Width of Roads"
H B No 45. "An act to incorporate the Town of Montana
H B No 39. "An act to prevent the Sale of Ardent Spirits or fire Arms to Indians" with the

following Amendments. "That Sec 2 be Stricken out and the words "Indians as provided for by law of Congress shall be competent Witnesses in the trial of all cases embraced in the provisions of this act

Geo. A. Haynes
Secretary of Council

Mr Maykes introduced H B No 47.
"An act respecting Executors and administrators"
Read 1st & 2d time, and referred to Joint Code Com.

Mr Smith introduced H B No 48.
"An act to organize the Militia of Montana Territory"
Read 1st & 2d time, and referred to Com. on Military affairs

Mr Faules introduced H B No 49.
"An act Concerning fences"
Read 1st & 2d time and referred to the Committee on Agriculture and Manufactures

C B No 39. Read 1st & 2d time, and on suspension of the rules read 3d time, and passed.
Ayes, Bell, Buck, Courtright, Faules, Johnson, McCormick, Smith & Mr Speaker 8
Nays, None.

There being no objection the title was agreed to.

C B No 10. Read the 1st & 2d time and referred to the Committee on Incorporations

H B No 39. Having been read at length with the Amendments for information, the Amendments were agreed to and the bill ordered engrossed.

On Motion of Mr Smith the House agreed to go into Committee of the whole this afternoon.

On Motion of Mr Courtright the House adjourned to 2 o'clock P M.

Afternoon Session

House met agreeable to adjournment.

Speaker in the Chair

Roll called: absent: Huffaker & Shank

The House went into the Committee of the whole Mr Buckin the Chair. On A B No 23 after Consideration of the bill the House arose and the Chairman reported that the Committee recommend that the bill be refered back to the Committee on elections for further amendments. Report adopted and the bill refered to the Committee on Elections

The Committee on Engrossment reported backs A B's Nos 18, 39, 43, as correctly Engrossed

J Ryan Chairman

The following Message was recieved from the Governor.

Executive Office.
Carson City Jan 4th 1865

To the Hon Speaker of the
House of Representatives

Sir— I have this day signed A B No 20. "An act to authorize Zedekiah A Stone and his associates, to construct and keep a toll Bridge acrof the Beaver Head.

Respectfully yours
Sidney Edgerton Governor

Mr Smith from Committee on Enrollment reported he had presented A B No 32, to the Governor for his signature.

The following Message was recieved from the Council

Council Chamber
Jan 4th 1865

Mr Speaker.

I am instructed by the House to inform your Hon body that they have passed the following bills. to wit.

A B No 46 An Act Concerning the Writ of Habeas Corpus."

C.M.No.201 Asking for a Weekly mail from Virginia City to Deer Lodge & Hell Gate T.T."
H.B.No.2, To Incorporate the Virginia City and Summit City Wagon Road Company" with the following Amendments- In Sec 5- add After said Section proviso as follows: "Provided said right of way shall not interfere with previous vested rights nor with Mining privileges without just and full Compensation to parties injured by said right of way" Sec 6 15th line Strike out the word "three" before the word "Dollars" and insert the word "two" instead thereof. In 8th line Strike out the words "One Dollar" and insert the words "fifty Cents in lieu thereof, in 9th line Strike out the words "one dollar" and insert "fifty Cents" in lieu thereof, In 10th line Strike out the word "thirty" and insert the word "twenty" before the word Cents. In 11th line Strike out the word "Thirty" and insert the word "Twenty" before the word "Cents" In 15th line before the word "Highland" insert the words "Hell gate at" In Sec 7 Strike out the words "Or any part thereof that may be need." In Sec 8, line 2, Strike out the words "Unless Caused by floods or snows;" In 9th line insert the words "the President or Secretary after the word "Company" In 18th line after the word "Justice" insert the words "One half to the Complainant and the other half" In Sec 8- 4th line after the word "toll" insert the words "at such times" In Sec 9, line 1, after the words "Wilfully" insert the words "and Maliciously"
H.B.No.36, "An act Concerning Counsellors and Attorneys at Law"
The following Notices for the introduction of bills were received
Notice to introduce "An act to Incorporate

the Yellowstone Anthracite Coal Co" Dec 31/64
Notice to Incorporate the Montana Bridge Co
Also granting the right to use the Waters
of Wisconsin Gulch for Milling and
Irrigating purposes.
Also to Incorporate the Madison Ditch, Manufactur-
ing and other Companies to become
Bodies Corporate.
Also to Incorporate the Alder Gulch
and Madison River Ditch Company.

Geo A Hayes
Secty pro Council

On Motion of Mr Johnson the House adjourn

18th Day January 5th 1865

House met agreeable to adjournment
Speaker in the Chair.
Prayer by the Chaplain.
Roll Called
Absent Mr Auffaker
Minutes of last meeting Read and approved
The following Message was received from the
Council

Council Chamber
Jan 5th 1865

Mr Speaker:
I am directed by the Council to inform
Your Hon body that they have passed the
following bills viz
C B No 35. "An act entitled an act to provide
for the Compensation of Henry Thompson
for Services rendered the Territory"
C B No 37 "An act Concerning Weights & Measures
C B No 49 "An act to authorize John. J Scott and Wm H
Lott to use the Waters of Wisconsin Gulch
also H B No 5 "An act to Incorporate the
Montana and Idaho Wagon Road Company
The following Notices for the introduction
of bills was received
"Notice in relation to Fords"

Notice of bill for a "Ferry across the Missouri River at or near Fort Benton"

Geo A Haynes
Secty of Council

Mr Faulds gave notice he would introduce a bill for the protection of Roads Bridges and Fords"

The Joint Rule Committee to whom was referred C B No 47, having had the said bill under consideration, beg leave to make the following report by referring back to the House and recommend its passage

M Cormick, Baggs
Mayhew — 3 Comt.

Mr Bell introduced C B No 50, "An act to incorporate the Jefferson Mining Company" Read 1st & 2d time, and referred to the Committee on Incorporation

Mr McCormick introduced C B No 51, "An act to regulate Proceedings in Criminal cases in the Courts of Justice in this Territory" Read the 1st & 2d times, and referred to the Joint Code Comt.

C B No 49, Read 1st & 2d times, and referred to the Committee on Agriculture.

Council Memorial No 1, having been read the 1st & 2d times was referred to the Committee on Federal Relations.

C B No 35 Having been read the 1st & 2d time, was on Motion of Mr McCormick referred to a Special Committee.

Messrs McCormick, Bell and Buck were named as said Committee.

C B No 37, was read 1st & 2d times, and referred to Committee on Judiciary.

C B No 46, was read 1st & 2d times and on suspension of the rules read the 3d time and passed.

Ayes, Bell, Buck, Courtright, Faulds, Johnson, Mayhew, Ryan, Smith, Mr Speaker — 9.

Nays: None.
There being no objection to the bill, it was agreed to
The Committee to whom was referred H.B. No 49
Report the same back to the House and
recommend its passage. Faulds
Chairman
H.B. No 2. Was read with the Amendments
added by the Council the Amendments were
agreed to and the bill ordered engrossed.
On Motion of Mr Courtright the House
disagreed the Bill.
On Motion of Mr Stuart the House adjourned to 2 O'clock P.M.

Afternoon Session

House met agreeable to adjournment
Speaker in the Chair
Roll called.
Absent. Huffaker. Johnson & Ryan.
The following Message was received from the Council

Council Chamber
January 5th 1865.

Mr. Speaker:
I am directed by the Council to inform
Your Hon body that they have passed the
following bills
C.B. No 41 "An act granting to C.R. Bissell and J.E.
Bissell, the right to build or construct a
Wagon Road from the Silver Bow to Jefferson
River"
C.B. No 42 "An act to Incorporate the Rocky
Mountain Gold and Silver Mining Co"
C.B. No 47 "An act prohibiting certain Games
in Montana Territory."
H.B. No 44 "An act for the Compensation of D.D.
Chamberlin, for services rendered and
Money expended" with the following
Amendments, Strike out the words "Six
Hundred" before the word "Dollars" in 3d
line of Sec 1. And insert the words "Three

Hundred and fifty" in lieu thereof.

Leo H Haynes
Secretary of Council,

The following Communication was received from the Governor

Executive Office
Baltimore City Dec 30th 1864

To the Hon Speaker of the
House of Representatives

Sir — I have this day signed A Bill
Entitled an act to Incorporate the City of Virg
=inia" also A B No 22, Entitled an act Securing
liens to Mechanics and others"

Sidney Edgerton Governor

C B No 11, was read the 1st & 2d times, and was, on
Motion of Mr Courtright amended by striking
out the word "ten" and inserting the word
"Five" And on Suspension of the Rule was
read 3d time and passed.

Ayes: Bell, Buck, Courtright, Faulds, McCom
=ick, Mayhew, Smith, Mr Speaker. 8
Nay Stuart 1.

There being no objection the title was agreed to.

The House proceeded to elect a Page,

Mr Faulds nominated Henry Flanagan,
Mr Mayhew Nominated Sidney C. Edgerton
The Vote being Called.

Master Flanagan received 4 Votes
Mess Courtright, Faulds, Johnson & Stuart.

Master Edgerton received 6 Votes.
Bell, Buck, Mayhew, McCormick, Smith Mr Speaker.
Whereupon Sidney C. Edgerton was declared
elected Page of the House.

On Motion of Mr Buck the Vote by which the
Council Amendments to A B No 2 were Con
Curred in, was reconsidered. The House
then rejected the amendments, And on
Motion of Mr McCormick the Speaker appo
=inted a Conference Committee of Two to
Confer with a like Committee from the Com.

in relation to the bill.
The Speaker appointed Messrs McCornick and Bell
CB No 42, was read 1st & 2d time, and referred to the Committee on Incorporation
On Motion of Mr Courtright the House adjourned.
19th Day. Friday Morning
January 6th 1865
House met pursuant to adjournment
Speaker in the Chair
Prayer by the Chaplain
Roll called
Absent: Huffaker Courtright, Johnson & Mayhew
Minutes of last meeting read and approved
The Joint Committee on Enrollment have examined the following bills, and report the same correctly enrolled, and that they have presented the same to the Governor for his signature.
CB's Nos 34, 39, 40, 41 & 45 also AJ No 1.
N. J. Smith, Chairman
The Judiciary Committee to whom was referred AB No 46 and CB No 17, beg leave to report the same back to the House and recommend their passage without Amendment.
McCornick Chairman
The Special Comt. to whom was referred CB. No 35. have had the same under consideration and beg leave to report the same back to the House with the recommendation that it pass without Amendment.
McCornick, Bell & Buck Comt.
Mr McCornick gave notice that he would on to-morrow introduce a bill "Incorporating the Silver Bow Mining Company"
Mr Smith gave Notice that he would on some future day introduce a bill to prevent the Carrying of concealed deadly weapons

in the Cities and towns of this Territory
Also that on tomorrow or some subsequent
day he would introduce a bill granting
to Homer R. Payne a divorce from the
bonds of Matrimony now existing between
said Payne and Adelia Payne."
The following message was received from
the Council.

Council Chamber
Mr Speaker. January 6th 1865.

I am directed to inform your
Hon body that the Council has passed
the following bills.
C Bill No 2. Joint Memorial & Resolution
to the Hon Senate and House of Represen-
tatives of the United States of America
in Congress Assembled.
C Bill No 7. "An act to incorporate the
Beaver Head and Big Hole Bridge Co"
C Bill No 45. "An act adopting the Common
Law of England"
C Bill No 25 "An act to incorporate the North
Side Ditch Co"
C Bill No 9. "An act relating to Bonds"
C Bill No 41. "An act to incorporate the Jefferson
Town Co"

Also the following Notices of the Intro-
duction of bills, were received by the
Council.

To define County boundaries and pro-
vide for locating seats in the Territory
To incorporate Jefferson City Jeffer-
son County Montana Territory
To incorporate Junction City Madi-
son County Montana Territory
To dissolve the bonds of matrimony
between Clarissa Green and Philip Green
To incorporate the Mutual Tunnel Co"

George H Haynes
Clerk of Co'n

The Court to whom was referred H B no 25
beg leave to make the following report
Strike out all of Section three and
insert the following
A general Election shall be held in the
several Townships or Precincts in this Territory on the first Monday of September
of each year at which election shall be
chosen all such officers as are by law
to be elected, in such year unless otherwise provided for. The Election for
Delegate to Congress and other officers
as may be provided for shall take place
on the first Monday of September A.D.
1865. And every two years thereafter.
Bell & Courtright Court
On Motion of Mr Smith the Report of
the Court was adopted and the bill
ordered engrossed.
C Bill no 2. Having been read the first
and 2d time, On Suspension of the rules
it was read 3d time and passed.
Ayes Bell, Buck, Courtright, Faulds, Johnson,
McCormick, Ryan, Stuart, Smith, Mr Speaker 10
Nays None.
There being no objection the title was agreed to.
C B no. 7. Being read the 1st 2d time, and on Suspension of the rules was read 3d time, and
passed.
Yeas: Bell, Buck, Courtright, Faulds, Johnson,
Mathews, McCormick, Ryan, Stuart,
Smith, Mr Speaker 11.
Nays None
There being no objection the title was agreed to.
On Motion of Mr Buck the following
Amendments to H B no 23. were adopted
Strike out the words "three Months" in Sec
1 line 10, and insert "twenty days" Strike
out the word "Twenty" in Sec 1 line 11.

And insert the word "Ten". Strike out in Sec 1 line 1. the word "inhabitants" and insert the words "Citizens of the United States, and those who have declared their intention to become Citizens"

The following Message was received from his Excellency the Governor.

Executive Office
Bannock City Jan 5th 1865.

To the Hon Speaker of the
House of Representatives

Sir — I hereby return to Your Hon body H B No 32, My objection to this bill is that the privileges therein conferred are in conflict with the Rights of the Missouri River and Rocky Mountain Wagon Road and Telegraph Company"

Respectfully yours
Sidney Edgerton Governor

C B No 44. having been read 1st & 2d times was on suspension of the rules read a 3d time and passed.

Ayes. Buck, Cowbright, Faulds, McCormick, Johnson, Stuart, Smith & Mr Speaker 8.
Nays, Bell and Mayhew 2

There being no objection the title was agreed to.

C B 43, having been read 1st & 2d time, and Mr Smith moved to lay the bill on the table.

Ayes and Noes called.

Ayes. Faulds, McCormick, Ryan Stuart and Mr Speaker 5.
Nays, Bell, Buck, Johnson Mayhew Smith 5—

And the Motion was lost.

On suspension of the rules the bill was read 3d time and passed.

Ayes. Bell, Buck, Cowbright, Mayhew, Smith and Mr Speaker 6
Nays. Faulds, Johnson McCormick Ryan Stuart 5—

There being no objection the title was agreed to

On Motion of Mr McCormick leave of Absence was granted Mr Mayhew during the afternoon.

On Motion of Mr Hart the House adjourned to 2 O'Clock P.M.

Afternoon Session

House met agreable to adjournment
Speaker in the Chair.
Roll Called
Absent: Buck, Huffaker and Ryan
The following message was received from the Council.

Council Chamber.
January 6th 1865.

Mr. Speaker.

I am instructed by the Council to inform your Hon body that they have passed

C B No 12, "An Act to Incorporate the Valparaiso Gold and Silver Mining Company."

C B No 31.

"An Act to preserve the District Records in relation to Leads, Lodes and Ledges" The Amendments made by the House to said bill were not Concurred in by the Council and would respectfully ask your Hon body to recede from said Amendments.

C B No 11

"An Act granting to C P Bissell and C. Bissell the right to build and construct a Wagon Road from Silver Bow to the Jefferson Ridge" Amendments by the House were Concurred in by the Council.

H B No 10.

"An Act to Incorporate the Hell Gate and Deer Lodge Wagon Road Co."

H B No 42, "An Act to exempt the

property of married Women &c
Executors in certain Cases."
H B No 46.
"An Act creating the Office of District Attorney in each of the Organized Judicial districts of Montana Territory, and to define their duties, privileges, and powers, and fix their Salaries," was passed with the following Amendments, Strike out the word "fifty" in 14th line Sec 4 and insert the words "and ten per centum on" Also insert between the 12th & 13th lines of Sec 5, "for every Conviction of felony" Where the punishment is other than death Twenty five dollars, and Strike out the words "Conviction shall be had" 16th line same Section and insert in place thereof "Offence shall have been Committed" Ged A Hayes
Secty of Council
C B No 50
Having been read 1st & 2d time, was on Suspension of the rules read a 3d time and passed.
Ayes
Bell Buck, Courtright, Faulds
McCormick, Ryan, Stuart, Smith, and
Mr Speaker
Nays. None
There being no objection the title was
Agreed to.
C B No 17
Having been read the 1st & 2d times, was on Suspension of the rules read a 3d time, and passed.
Ayes Bell Buck, Courtright, Faulds
Johnson, McCormick, Ryan, Stuart, Smith
and Mr Speaker 10. Nays, None
There being no objection the title was agreed

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C/B [redacted] 18 No 35.

Having been read 1st & 2d times, was on suspension of the rules read 3d time and passed.

Ayes. Bell, Buck, Courtright, Faulds Johnson, McCormick, Ryan, Stuart, Smith Mr Speaker 10 Nays none

There being no objection the title was agreed to.

H B 44.

With the Council Amendments was on Motion of Mr Buck referred to Special Committee of Conference.

Mr Speaker appointed Mess Smith Buck Courtright & Buck Committee

H B No 52.

Having been read 3d time passed.

Ayes

Bell, Buck, Courtright, Faulds, Johnson McCormick, Ryan, Stuart, Smith, Mr Speaker 10

Nays. None

There being no objection the title was agreed to.

C B No 28.

Having been read the 1st & 2d time, was on Motion of Mr Smith referred to a Special Committee.

The Speaker named Mess Smith Faulds and Bell as said Committee

The Committee on Military Affairs have examined H B No 48 and Report the same back to the House.

Ryan & Stuart Comt.

The following Message was received from the Council

Council Chamber

Mr Speaker: Jany 6th 1865.

I am directed by the Council to inform your Honorable body that the following Resolution has been adopted

Resolved:

By the Council of the Legislative Assembly of the Territory of Montana that the Order be requested to act upon, and forward with as little delay as practicable the Civil and Criminal Code designed for the Territory, and the Clerk of the Council inform the House of this request.

C. S. Bagg
Leo A Haynes
Secty of Council.

On Motion of Mr Cooper the House adjourned to to Morrow at 11 o'Clock A. M.

Twenty Sixth Day
January 7th 1865.

House met pursuant to adjournment
Speaker in the Chair.
Prayer by the Chaplin.
Roll Called
Absent: Mr Huffaker.
Minutes of last sitting read and approved
The Committee on Federal Relations to whom was referred C B No 1. Report the same back and recommend that it pass without Amendments.

Johnson
Faulds } Committee
Cooper

The following Message was received from the Governor

Executive Office
Bannack City Jany 6th 1865.

To the Hon Speaker of the House of Representatives

Sir — I have this day signed the following House bills No 34. "An act entitled an act providing punishment for certain

Citizens" No 40 "An act to prevent the ... intoxicating liquors to Soldiers" No 57 "An act to prohibit the sale of Ardent Spirits or fire arms to Indians" No 41 "An act regulating the width of roads" and No 78 "An act to Incorporate the Town of Montana"

Respectfully yours
Sidney Edgerton
Governor.

The following message was received from the Council

Council Chamber
January 7th 1865

Mr Speaker.

I am directed by the Council to inform your Hon body that they have passed the following bills
CB No 6,
"An act granting a Ferry across the Big Horn River"
CB No 8
"An act granting to C Franklin Ruff and others the right to have and maintain a Ferry or Bridge across the Jefferson River On the Road from Virginia City to Fort Benton and Prickly Pear"

The following Notices for the introduction of bills were recorded by the Council January 6th 1865.

Notice,
To Incorporate the Virginia City and Prickly Pear Wagon Road Company
To Incorporate the Silver Mountain Mining Company"
An act relative to Marriages
For unconditional Divorces

Geo A Hayes
Sec'y of Council

On Motion of Mr Mayhew the House resolved itself into Committee of the whole on A B No 47.

Mr Buck in the Chair

When the Committee arose they made the following report.

Mr Speaker.

I am directed by the Committee of the whole, to whom was referred A B No 47. to report to you that we have had the same under consideration and report the same back to the House and recommend that it pass with the following Amendments.

Striking out Sec 39. & 42.

J. H. Buck Chr Com

On Motion of Mr Mayhew the report was received and the Amendments adopted; the bill was then read the 3d time and passed.

Ayes. Bell, Buck, Faulks, Johnson, Mayhew, McCormick, Ryan, Shuttt, Smith Mr Speaker 9 Days None

The title was then altered so as to read "An act in relation to Executors and administrators"

A B No 46, Having been returned from the Council with Amendments, the Amendments were Concurred in and the bill ordered engrossed.

The following communication was received from the Council,

Council Chamber Jan 7, 1865.

Mr Speaker,

I am directed by the Council to inform your Hon body that they have passed the following bills

C B No 53. "An act Designating the time of holding a term of the District Court of

Madison County
H B No 45.

"An act to protect and regulate the irregation of Lands"

The following notices of the introduction of bills were received by the Council Jan 7th 1865.

Notice

To Incorporate the Missouri River Portage and Rail Road Company"

To Incorporate a Ferry over Deer River"

To Incorporate a Ferry across the Missouri River at or near Fort Benton

Lord Haynes
Secty of Council

H B No 30. was then taken up and on motion of Mr Buck a Conference Committee was appointed Consisting of Buck Courtright and Sanders, to confer with a like Committee from the Council in relation to the bill

C B No 3.

Having been read the 1st & 2d times, was on suspension of the rule read a 3d time, and passed.

Yeas. Bell, Buck, Courtright, Sanders, Johnson Mayhew, McCormick, Ryan, Willard Smith and Mr Speaker 11

Nays None.

There being no objection the title was agreed to.

On motion of Mr McCormick the House adjourned to 10 A.M. tomorrow

Twenty first Day.

January 9th 1865.

House met pursuant to adjournment

Speaker in the Chair

Prayer by the Chaplain

Roll Called

Absent: Mr Johnson

Minutes of last meeting read and approved.

Mr Smith introduced House Bill No 53.

"An act dissolving the bonds of matrimony existing between Homer K. Payne and Adeline Payne."

Read 1st and 2d times and on motion of Mr Buck referred to a Select Committee of three.

Messrs Buck, Smith and Courtright were appointed said Committee

Mr Smith introduced H B No 54

"An act to prevent the Carrying of Concealed, deadly weapons in the Cities and Towns of this Territory."

Read 1 & 2d times, and on Suspension of the rules read the 3d time and passed.

Ayes

Bell, Buck, Courtright, Faulds, Huffaker, Johnson, Mayhew, McCormick, Rojas, Shaw, Smith and Mr Speaker. 12

Nays. None,

There being no objection the title was agreed to.

Mr Smith gave notice that he would on tomorrow or some future day of the session introduce a bill "Incorporating the Beaver Head Ditch Company"

C B No 6.

Having been read the 1st and 2d times was referred to the Committee on Incorporation

C/B No 12

Having been read 1st & 2d times was on Motion of Mr Courtright referred to a Special Committee of three,

Messrs Courtright, Smith and Faulds were appointed as such Committee

Council Memorial No 1.

Having been read the 3d time was passed,

Ayes: Bell Buck, Courtright, Faulds, Huffaker, Johnson, Mayhew, McCormick Ryan, Stuart, Smith and Mr Speaker, 12

Nays: None,

There being no objection the title was agreed to

On Motion of Mr Buck the Speaker appointed a joint Committee of four from the House on Towns and Counties Consisting of Messrs Buck, Bell, Stuart and Smith

The Special Committee to whom was referred C/B No 25. beg leave to report back said bill with the following Amendments

Strike out all of line 9 but the two first words, all of line 10, and the first word in line Eleven Section four. And add to said Section "Provided that Nothing in this Section shall be so Construed as to allow the Company more than One thousand inches of Water.

A. J. Smith
H. Bell } Committee
H. Faulds }

On motion of Mr Smith the bill was further Amended by Striking out the word "Perpetua l" wherever found in the bill and inserting the words "Ten years."

The House adopted the amendments and the bill was read 3d time and passed.

Ayes, Bell, Faulks, Huffaker, Johnson, McCormick, Stuart, Smith & Mr Speaker 8
Nays, Buck, and Courtright 2

There being no objection the bill was agreed to.

Mr Bell gave notice that he would on to morrow or some future day introduce a bill to Incorporate the Consolidated Mining Company of Montana"

The Committee on Engrossment reported H B No 35, properly Engrossed.

The bill was then Read the 3d time and passed.

Ayes; Bell, Buck, Courtright Faulks, Huffaker, McCormick, Ryan, Stuart, Smith, and Mr Speaker 10
Nays.... None.

There being no objection the bill was agreed to.

The Committee to whom was referred H B No 23, Report the same back to the House and recommend its passage.

Mayhew Chrm

H B No 23.

Was read the 3d time and passed,

Ayes, Bell, Buck, Courtright, Faulks, Huffaker Johnson, McCormick, Stuart Smith and Mr Speaker 10
Nays, None.

There being no objection the bill was agreed to.

On motion of Mr Courtright the House adjourned to 2 Oclock P.M.

Afternoon Session

House met pursuant to adjournment.
Speaker in the Chair.
Roll called
Absent Mr Johnson.

On motion of Mr McCormick
A Bill No 347 were made the Special
Order for to morrow morning at 10
O'Clock.

The Joint Code Committee to
whom was referred A Bill No 57. have had
the same under consideration and
beg leave to report the same back
to the House with the recommenda-
tion that it pass without Amendment.

Mr J. M. McCormick
A. E. Mayhew Clerk

On motion of Mr McCormick the
House went into Committee of the
whole on A Bill No 57.

Mr Bell in the Chair

When the Committee arose
the Chairman reported

That the Committee
have had A Bill No 57. under Consideration
and report the same back without
Amendments; And recommend its
passage.

The House then adopted
the report of the Committee, and the
bill was read a third time and passed
Ayes: Bell, Buck, Faulds, Johnson, McCormick
Stuart, Smith, and Mr Speaker 8.
Nays None.
There being no objection the title was agreed to

The Committee on Enrollment
reported A Bill No 46 Correctly Enrolled
Also that the same had been presen-
ted to the Governor for his signature.

H B No 49.

Having been read the 3d time was passed.
Ayes: Ball, Bunt, Fauley, Johnson, McCormick,
Stuart, Smith, and Mr Speaker 8.
Nays: None.
There being no objection the title was agreed to.
On motion of Mr Stuart the
House adjourned to 10 o'clock A.M.
to morrow.

Twenty Second Day
Jany 10 1865.

House met pursuant to adjournment
Speaker in the Chair
Prayer by the Chaplain
Roll called All the Members present
Minutes of last meeting read and approved.
The following message was received
from the Council

Council Chamber
Jany 10th 1865.

Mr Speaker
I am directed by the Council
to inform your Hon body that they have
passed the following bills viz:
C B No 45.
"An act to provide increased Com
pensation to Officers in this Territory.
C B No 47.
"An act to Incorporate the Junction City
Ferry Company"
C B No 54.
"An act to prevent the Carrying
of Concealed deadly Weapons in the Cities
and Towns of this Territory."
C B No 13.
"An act to Incorporate the Bitter
Root and Kootenay Wagon Road and
Ferry Company"
The following notices for the introdu

=tions
of bills were received by the Council
January 9th 1866.
"To Incorporate the Deer Lodge
and Prickly Pear Wagon Road Co."
"To Incorporate the Excelsior Coal
Mining and Manufacturing Company."
"To provide for the Compensation
of U.S. Marshals for services rendered
this Territory."
"To provide for the Collection of a
Revenue in this Territory."
To Incorporate the Consolidated
Mining Company of Montana Territory.
Geo A Haynes
Secty of Council.

The Committee on Incorporations to
whom was referred H.B. No 30 report
the same back to the House with a
statement and affidavit
C.E. Mayhew Chm
On Motion of Mr Buck the House
went into Committee of the whole on
House Bills No 30 &7
Mr Buck in the Chair
When the Committee arose they made
the following report.
Mr Speaker directed to report to
you that the Committee have had H.B.
Nos 30 & 7 under consideration and
report the same back to the House
I.N. Buck Chm
On Motion of Mr Bell the report was
adopted.
On Motion of Mr McCormick
the House proceeded to the consideration
of H.B No 7, which was read the 3d time
and passed.
Ayes. Buck, Courtright, Faulds, Huffaker,
McCormick, Ryan, Shurtz Mr Speaker 9.

Says; Bell Johnson and Mayhew
There being no objection the title of the bill was
agreed to.

The following Message was recei
=ved from the Council.

Council Chamber
Jany 10th 1865

Mr Speaker

I am directed by the Council to
inform your Honorable that they have
passed the following bill.
C B No 65.

"An act Incorporating the Co
solidated Mining Company of Montana"

Geo H Haynes
Secty of Council

On Motion of Mr Mayhew the House
adjourned to 2 o'Clock P M.

Afternoon Session

House met pursuant to adjournment
Speaker in the Chair.
Roll called
Absent Huffaker.

Mr Smith made a motion to reconsider
the vote by which C B No 7 was passed,
On Motion of Mr McCormick the motion
to reconsider was laid on the table

On motion of Mr McCormick C B
No 3. was taken up.

Mr McCormick moved that the bill be
laid on the table and the Consideration
be indefinitely postponed.
The Ayes & Noes being Called resulted
as follows,
Ayes Buck, Courtright, Baker
McCormick, Ryan, Shuart and Mr Speaker 7
Noes. Bell, Fields, Johnson, Mayhew, Smith 5
And the motion Carried.

Mr McCornick moved to Reconsider the vote by which A/B No 3. was laid on the table And on Motion of Mr McCornick the last Motion was laid on the table by the following vote.

Ayes. Buck, Courtright, Huffaker McCornick, Ryan, Stuart & Smith and Mr Speaker. 8

Nays. Bell, Faulds Johnson & Mayhew 4

Council Bill No 63. Hardy been read 1st & 2d times was on Suspension of the rules read 3rd time and passed Ayes:

Buck, Courtright, Faulds, Huffaker Johnson, McCornick, Ryan, Stuart Smith and Mr Speaker 10

Nays - None

There being no objection the title was agreed to.

Mr McCornick introduced A/B No 55.

"An Act to Incorporate the Brandon Town Company."

Read 1st & 2d time, and on Suspension of the rules read 3d time, and passed.

Ayes.

Bell, Buck, Courtright, Faulds, Huffaker, Johnson, Ryan, Stuart Smith & Mr Speaker 10.

Nay Mr McCornick 1

There being no objection the title was agreed to

Mr Huffaker gave Notice that he would at an early day introduce a bill to Incorporate the North Dale Creek Ditch Company."

Mr Faulds gave Notice that he would on to morrow or some future day introduce a bill to grant to Mr Delamar the right to erect a Dam on Grass Hopper Creek for Milling purposes.

Mr Smith introduced H B No 56.
"An act to incorporate the Virginia City Gas Company"
Read 1st & 2d Times and on suspension of the Rules read 3d Time and passed.
Ayes; Bell, Buck, Courtright, Faulds, Huffaker, Johnson, Ryan, Stuart, Smith & Mr Speaker. 10
Nays None
There being no objection the title was agreed to.
Mr Stuart introduced H B No 57
"An act to incorporate the Big Horn Town Association"
Read 1st & 2d Times and on suspension of the Rules Read 3d Time and passed.
Ayes, Bell, Buck, Faulds, Huffaker, McCornick, Ryan, Stuart, Smith & Mr Speaker 11
Nay Mr Courtright
There being no objection the title was agreed to.
Mr Faulds introduced House Bill No 58.
"An Act for the protection of Roads"
Read 1st & 2d Times, and on suspension of the rules read 3d time, and passed.
Ayes; Bell, Buck, Courtright, Faulds, Huffaker, Johnson, McCornick, Ryan, Stuart Smith and Mr Speaker 11
Nays None
There being no objection the title was agreed to.
Mr Smith introduced H B No 59
"An act to incorporate the Beaver Head Ditch Company
Read 1st & 2d time and ~~referred to the Committee on Incorporations~~
On Motion of Mr McCornick the House granted leave of absence to Mr Stuart for two weeks.
On Motion of Mr McCornick the House adjourned

Twenty Third Day.
January 11th 1865.

House met at the usual hour.
Speaker in the Chair
Prayer by the Chaplain
Roll called.
Absent: Mr Ryan.
Minutes of last meeting read and approved.
The Committee on Incorporations to whom was referred CB No 30. have had the same under Consideration and beg leave to report the same back to the House and recommend that it pass with the following Amendments. Strike out of line two the following words "or an abstract thereof" and insert after the word "Lodge" in line 4 "Ranche Water and Mill" Strike out of Sec 2 line 3. "or an abstract thereof" after the word "Lodge" insert "Ranche Water and Mill" In Sec 3 line 6. after the word "Cents" to be paid by the District Recorder" in Same Section line 8. Strike out the words "or an abstract thereof." Add to Section 8 "Provided that nothing in this act shall be so construed as to demand any district Recorder to deposit more than one set of Books.

J. H. Buck,
H. Faulds } Com.
M. Courbright,

On Motion of Mr McCormick the report of the Committee was received and the Committee discharged.
On Motion of Mr Buck the report was adopted and the bill as amended agreed to.
The Special Committee to whom was referred CB No 44. report that they have had the same under consideration and have instructed me to report the same

back and recommend its passage with the following Amendments viz:
Strike out the words "Six Hundred" before the words "Dollars" in line 3 of Sec 1 and insert the words "Three Hundred" in lieu thereof. Strike out in Sec 1 line 4 after the word "for" the words "time employed and Money expended in procuring" and between the words "Laws" in line 5 and "of" in line six insert the words "bound Statutes" And in line 7 same section Strike out the words "Courts"

The report was received and the Committee discharged, and the amendments to the bill adopted.

The Select Committee on CB No 12 made the following report.

Mr Speaker:

Your Select Committee have had the said bill under Consideration and report the same back and recommend its passage South Chas

The House then took up House Bills no 60.

"An act concerning Guardians and Wards"

Read the 1st & 2d Times and on question read 3d time and passed by the following vote.

Ayes. Bell, Bolek, Courtright, Hughes Huffaker, Johnson, Mayhew, McCormick & Smith and Mr Speaker. 11

Nays: None. There being no objection the bill was agreed to.

CB No 45

Was Read the 1st & 2d Times, and referred to a Select Committee Consisting of Courtright, McCormick and Huffaker.

The Special Committee to whom was referred CB No 53, report the same back

without recommendation.
The bill was then read 3d time and passed
Ayes: Cowtright, Faulds, Huffaker, Johnson,
McCornick, Smith and Mr Speaker, 7
Nays. Bueck, Bell Mayfield 3
There being no objection the title was
agreed to.
The following Message was received
from the Governor.

Executive Office
January 10th 1865.

To the Hon Speaker
of the House of Representatives

Sir
I have this day signed
House Bill No 46 "Entitled an act creating the office of district attorney in each of the organized judicial districts of Montana Territory and to define the duties privileges and powers and fix their salaries"

Sidney Edgerton
Governor

Executive Office
January 11th 1865.

To the Hon Speaker of the
House of Representatives

Sir
I have this day approved
H B No 54 "An act to prevent the Carrying of Concealed deadly Weapons in the Cities and Towns of this Territory"

Respectfully
Sidney Edgerton Governor

The House took up H B No 2, which was read 3d time and passed.
Ayes, Bell, Bueck, Faulds, Huffaker, Mayfield
McCornick Smith & Mr Speaker. 8
Nay Mr Cowtright 1

There being no objection the bills was
agreed to.
H B No 57.
Having been read the first and
second time, was, on suspension of the
rule read the 3d time and passed.
Ayes. Bell, Buck, Courtright, Fowler,
Huffaker, Johnson, McCormick, Smith,
and Mr Speaker. 9
Nays None
There being no objection the bills was
agreed to.
On motion of Mr Courtright
the House adjourned to 2 o'clock P.M.

Afternoon Session
House met pursuant to adjournment
Roll Called.
Absent: Johnson, Mayhew, and Ryan,
The Joint Committee on Enrollments
have examined A B's Nos 10, 13, 26, 42 & 45,
and report them correctly enrolled
and that the same have been presented
to the Governor for his signature
Smith Chm
Mr Mayhew gave notice that he
would on some future day introduce
a bill in relation to Doctors or persons
practicing Medicine.
The Committee to whom was referred
H B No 27, made the following report,
We have had the same under con-
sideration and report the same back
to the House and recommend the
passage of the same.
Mayhew & Buck Comt.
Mr Johnson offered the following, resolu
tion which was adopted
Resolved, That the Door Keeper shall

have
full Controll of the House in the
absence of the members and that
no person or persons shall have
any right or Control of the saine
unless leave be granted by the Door
Keeper.
On motion of Mr Courtright.
the House adjourned.

House of Representatives
January 12th 1865.

Twenty Fourth Day
House met agreeable to adjournment.
Speaker in the Chair.
Prayer by the Chaplain
Roll Called.
Absent Mr Ryan
Minutes of last Meeting read and approved
Mr Smith gave notice that he
would on to morrow or some future day
of the session introduce a bill "Concern
=ing Marks and brands"
Mr Huffaker introduced H R No 61.
"An act to Incorporate the North Bend
Creek Ditch Company"
Read the 1st & 2d time and referred to the
Committee on Incorporations
Mr Landes introduced H R No 62.
"An act granting A A Dennis and others
Certain Milling privileges
Read 1st & 2d time and referred to the Committee
on Incorporations
The following message was received from
the Council.

Council Chamber
January 12th 1865

Mr Speaker
I am directed by the Council
to inform your Hon body that they have
passed the following bill. H R No

Bill No 52. "An act to enable Soldiers to hold Claims" with this Amendment. Sec 1. line 5. Strike out "one year" and insert "Calendar months"

The following notice for the introduction of a bill was received by the Council January 11th 1865.

"An act to Incorporate the Montreal Coal and Manufacturing Co."

Geo A Hayne
Secty of the Council

CB No 27

CB27 Having been read at length with the Amendments. Mr McCormick offered the following Sections 161, 162 & 163 as additional Amendments to Any "Any Person who shall Keep, Manage or Control any "Dance House" Bawdy Bawdy House or place of Disorderly or immoral Amusement shall such person or persons shall be guilty of a Misdemeanor, and on Conviction thereof shall be fined in any sum not less than One Hundred dollars, nor more than One thousand dollars, for the first offence, and for each succeeding offence not less than two hundred nor more than two thousand dollars. Sec 162. The owners of any building House, Tent, or booth where such amusements are Carried on shall be deemed the Keeper thereof

Sec 163. Any person or persons attending such place or places of amusements shall be Competent to testify in any Case arising under this Act where not rendered otherwise incompetent by Law. The yeas & Nays being Called & recorded as follows

Ayes: Buck, Faulds, Kuffaker, Johnson
McCornick, Ryan & Smith 7 Mr Speaker 8
Nays Bell Cartwright, Mayhew 3
So the Amendment was agreed to
And the bill as Amended was read a
3d time and passed.
Ayes, Bell, Buck, Faulds, Kuffaker,
Johnson, Mayhew, McCornick, Ryan
Smith and Mr Speaker 10
Nays; None.

There being no objection the bill
was agreed to.

H.B 18 The Committee on Judiciary
to whom was referred H.B No 18. In
relation to the Civil Procedure act beg
leave to report the bill back and
recommend it.

The following Communication
was received from his Excellency the
Governor.

Executive Office
January 12th 1865.

To the Hon Speaker of the
House of Representatives

Sir

I have this day approved the
following H.B's.

H.B No 10. No 10. To Incorporate the Hell Gate
and Deer Lodge Wagon Road Co."

H.B No 13. No 13. To Incorporate the Potter Rock
and Kortney Wagon Road and Ferry Co."

H.B No 36. No 36. "An act Concerning Attorneys and
Counsellors at Law"

" 42 No 42 "An Act to exempt the
property of Married Women from Ex
ecution in Certain Cases."

" 43 No 43, "An Act to protect and regulate
the irrigation of Land"

Sidney Edgerton
Governor

S B 45 Your Committee to Whom was referred S/B No 45. Have had the same under Consideration and beg leave to report the same back to the House with the following Amendment.

Add to Sec 2 at the end of 18th line "the Chap=lain five dollars"

W Courtright
W J McCormick
W Huffaker Com

The Amendment was adopted and the bill read a 3rd time and passed.

Ayes: Bell, Burch, Faulds, Huffaker, Johnson, Mayhew, Ryan and Mr Speaker. 8.

Nays, Courtright, McCormick & Smith, 3.

There being no objection the bill was agreed to.

Mr Smith made a motion to go into Committee of the Whole this afternoon on S/B No 18, agreed to,

On motion of Mr McCormick the House adjourned to 2 O'clock P. M.

Afternoon Session

House met pursuant to adjournment Speaker in the Chair

Roll called,

Absent; Ryan & Smith

The House went into Committee of the Whole to Consider S/B No 18.

Mr McCormick in the Chair.

When the Committee arose the Speaker resumed the chair and on motion of Mr McCormick the House adjourned.

Twenty Fifth Day

House of Representatives

Jany 13th 1865

House met pursuant to Adjournment

Speaker in the Chair

Prayer by the Chaplin

Roll called

Absent Messrs Smith & Ryan

Minutes of last Meeting read and approved

Mr Bell gave notice that on tomorrow or some future day of the session he would introduce a bill to prevent the practice of Gambling in certain Cities

The Joint Committee on Enrollment reported.

Mr Speaker

We have examined Act No 8. and find the same correctly enrolled And that we have this day presented the same to the Governor for his signature and approval.

Smith Chm

The following Message was received from the Governor

Executive Office

Jany 13th 1865.

To the Hon Speaker of the House of Representatives

Sir

I have this day approved Act No 8. "An act Entitled An act granting to Franklin Rupe James Hensley and Antonio Reinaer a Ferry or Bridge across the Jefferson River on the Road from Virginia City and Fort Benton and Prickly Pear.

Respectfully Yours

Sidney Edgerton

Governor

1852 H B No 52

Having been read with the amendment for information Made by the Council the Amendment was adopted and the bill ordered engrossed.

The following Message was received from the Council

Council Chamber
January 15th 1865.

Mr Speaker I am directed by the Council to inform your Honorable body that they have passed the following bill and Memorial

C M No 5—

"Asking for a direct daily Mail between Bannack City and Nicasville"

H B No 53,

"An Act regulating the holding of Elections in Montana Territory."

Leo A Haynes
Secty of Council

The House went into Committee of the whole to Consider H B No 18.

Mr McCormick in the Chair

Then the Committee arose the Speaker resumed the Chair.

C M No 5 On motion of Mr Huffaker the House took up C M No 5. Which was read first time and on motion of Mr McCormick the word "Prohibitive" was stricken out and the word "Prohibition" inserted.

The Memorial was then read a 2d time, and on suspension of the rule was read 3d time and passed

Ayes: Bell, Buck, Courtright, Faulds, Huffaker Johnson, Mayhew, McCormick, Smith and Mr Speaker.

Nays. None.
There being no objection the title of the bill was agreed to.

On leave Mr Mayhew gave notice that he would on tomorrow introduce the following bills

"To incorporate the Bozeman City and Salt River Wagon Road Company."

Also

A bill to incorporate the Bozeman City and Fort Laramie Wagon Road and Telegraph Company."

On Motion of Mr. McCormick the House adjourned.

Twenty Sixth Day
House of Representatives.
January 14th 1865.

House met at the usual hour
Speaker in the Chair
Prayer by the Chaplain
Roll Called
Absent, Courtright & Kuffner.
Johnson and White
Minutes of last meeting read and adopted.

NB 63 Mr Bell introduced NB No 63.
"An act to prevent officers from dealing in certain securities"
Read 1st & 2d time, and referred to the Committee on Judiciary

NB 64 Mr Mayhew introduced NB No 64.
"An act to incorporate the Bozeman City and Fort Laramie Wagon Road and Telegraph Company."
Read 1st & 2d times, and on suspension of the rules read 3d time and passed.
Ayes Bell, Buck, Courtright, Fowler

Huffaker, Mayhew, McCormick Ryan
Smith and Mr Speaker 10
Nays: None
There being no objection the title was agreed to
H No 66. Mr Huffaker introduced H B No 66
An act Concerning limitations"
Read the 1st & 2d time and on motion of
Mr Mayhew, Section 25 was added
as follows. "This act shall take effect
and be in force from and after its
approval by the Governor
The bill was then referred to the
Committee on Judiciary
The House then went into Com-
=mittee of the Whole, for the Consideration
of House bill No 18.
Mr McCormick in the Chair
The Committee arose, the Speaker resumed
the Chair and the following Message was
received from the Council.
Council Chamber
January 14th 1865.
Mr. Speaker.
I am directed to inform your
Hon body that action was had on the
following bills
H B No 5. "An act to legalize the Books
of the District Recorders" was indef-
initely postponed.
H B No 21. "An act for the protection
of Wild Game" was laid on the table until
a treaty could be made with the Indians
H B No 31.
"An act Authorizing James Foster
to Construct a Bridge across the Gallatin
River." Read the first and Second time
and referred to the Committee on Incorp-
=orations, and the said Committee reported
back and recommend that said bill do

not pass which" was adopted.
H B No 35.
"An act granting to Robert S Kelley and Julius F. Foreman Ferry and Bridge privileges acrop the Madison River," was read the 1st & 2d time and referred to the Committee on Incorporation Said Committee recommended that said bill do not pass, which was adopted.
H B No 44.
"An act for the Compensation of D D Chamberlin for Services rendered and Money expended, the amendments of the Committee of Conference were concurred in by the Council.
The following Council Bills were passed January 16th 1865.
C B No 38.
"An act establishing a Common School system for the Territory of Montana"
C B No 54.
"An act to Incorporate the Madison Ditch Company".
C B No 57.
An act to Incorporate the Yellow Stone Anthracite and Bituminous Coal Company."
The following notices for the introduction of bills were received Jany 13th 1865.
Notice, "Concerning the Construction of Statutes.
An act to Incorporate the Gallatin Valley Ditch Company
To Authorize the Appointment of Commissioners of Deeds.
Gen A Hayes Secty Council
On Motion of Mr Johnson the Council adjourned

Twenty Seventh Day:
House of Representatives
Monday ——— January 16th 1865
House met pursuant to adjournment.
Speaker in the Chair.
Prayer by the Chaplain.
Roll Called
Absent: Mess. Buck, McCormick & Johnson
Minutes of last Meeting read and approved.

HB4 The Committee on Corporations to whom
HB50 was referred H.B.s No 4 & 50 and C.B. No 42
CB42 beg leave to make the following report, by
Referring the said bills back to the House
and recommend their passage.

A. E. Mayhew
J. R. Buck
N. McCormick } Comt.

H.B. No 4. having been Read the 3d time was
put on its final passage was passed.
HB4 Ayes: Bell, Buck, Faulds, Huffaker,
Johnson, Mayhew, McCormick, Ryan,
Mr Speaker 10
Nays Mr Courtright 1
There being no objection the title was
agreed to.
H.B. No 50. having been read 3d time was
put upon its final passage and
passed by the following Vote
HB50 Ayes: Bell, Buck, Courtright, Faulds,
Huffaker, Johnson, Mayhew, McCorm-
ick, Ryan, and Mr Speaker 10
Nays None
There being no objection the title was agreed to.

CB42 C.B. No 42 was read for information; and
On Motion of Mr Ryan Read 3d time and
passed.
Ayes Bell, Buck, Courtright, Faulds, Johnson, Mayhew
Crew, McCormick, Ryan, Smith, Huffaker Mr Speaker.

Nays None
There being no objection the bill was agreed to
The Joint Committee on Engrossment have examined H B's Nos 33. 44, 52, and find the same correctly engrossed, and have presented the same to the Governor for his signature. Smith chm
On Motion of Mr Mayhew H B No 32 was called up. It having been returned by the Governor with objections
On the question being put, "Shall the bill pass notwithstanding the Governors objection" the ayes and noes were called with the following result.
Ayes Bell, Buck, Courtright, and Huffaker,
Mayhew, McCormick, Ryan, Mr Speaker 5
Nays, Johnson, Smith 2
There being more than a two thirds vote in its favor the Speaker declared it passed.
On motion of Mr McCormick the House went into Committee of the whole on H B No 18.
Mr McCormick in the chair.
When the Committee arose the Speaker took the Chair.
On motion of Mr McCormick the House reconsidered the Vote by which H B No 32 was passed.
On Motion of Mr McCormick the bill was then indefinitely postponed.
Mr Courtright ~~Ex~~ introduced H B No 67
"An act to Incorporate the Beaver Town
H B 67 Company." Which was read the 1st & 2d times and on suspension of the rules read the 3d time and passed
Ayes Bell, Buck, Faulds, Huffaker, Ryan & Smith 6
Nays: Courtright, Mayhew and Mr Speaker 3
There being no objection the title was agreed to.
H B 68 Mr Mayhew introduced H B No 68

An act to Incorporate the Ramus Hornfall Road Company. Read the 1st & 2d times and referred to the Committee on Incorporations

The House then went into Committee of the whole on Bill No 18

Mr McCormick in the Chair

When the Committee arose the Speaker resumed the Chair.

Mr South gave notice he would introduce the following bills on to morrow or some subsequent day.

"To dissolve the bonds existing between Charles Bartholamew and Ester Bartholamew.

Also between William Gibson and Elizabeth D. Gibson"

On motion of Mr McCormick the House adjourned

House of Representatives
Jany 17th 1866

Twenty Eighth Day.

House met pursuant to adjournment

Speaker in the Chair

Prayer by the Chaplain

Roll Called:

Absent: Mr Smith

Minutes of last meeting read and approved.

The Committee on Incorporations to whom was referred Bill No 26 and 68, beg leave to make the following report, by referring the said bills back to the House and recommending their passage.

A. E. Mayhew Chm

Mr Smith introduced Bill No 69.

"An Act Concerning Marks and Brands"

Read the 1st & 2d times and on suspension of the rules was read 3d time and passed.

Ayes: Bell, Buck, Courbright, Faulds, Huffaker, Johnson, McCormick, Smith and Mr Speaker 9.

Nays Mayhew and Ryan. 2

There being no objection the bill was agreed to

NB 70 Mr Buck introduced NB No 70
An act to incorporate the Fort Benton and Kootnay Wagon Road Company.
Read 1st and 2d times, and on suspension of the rules read 3d time and passed
Ayes Bell, Buck, Conwright, Faulds Huffaker, Johnson, Mayhew, Ryan, Smith and Mr Speaker 11
Nays—None.

There being no objection the bill was agreed to

Mr Smith introduced NB 71

NB 71. An act to dissolve the Bonds of Matrimony between William Gibson and Elizabeth Gibson."
On motion the bill was laid on the table by the following vote
Ayes Bell, Buck, Mayhew, Faulds Huffaker Ryan 6
Nays Conwright Johnson Smith McCormick and Mr Speaker 5.

NB 72 Mr Smith introduced NB No 72
"An act to dissolve the bonds of Matrimony existing between Charles Bartholomew and Esther Bartholomew his wife"
Read the 1st and 2d time and on Motion of Mr Mayhew was laid on the table. by the following vote.
Ayes Bell, Buck, Faulds, Huffaker Mayhew and Ryan 6
Nays. Conwright Johnson McCormick Smith and Mr Speaker 5
Mr Smith introduced NB No 73

NB 73 "An act to dissolve the Bonds of Matrimony between George C Howard and Lucy E Howard.
On Motion of Mr Mayhew the bill was laid on the table by the follo

ing vote

Ayes— Bell, Buck, Faules, Stuffaker, Mayhew, Ryan, and Mr Speaker 7

Nays. Cavanaugh, McCormick, Johnson and South 4

The following Communication was received from the Council

Council Chamber

January 17th 1865

Mr Speaker.

Sir, I am directed by the Council to inform your Hon. body that action was had on the following bills.

CB No 24 "An act Concerning Crimes and punishment". Would respectfully ask your Hon body to furnish the Council with a definite statement of the Amendments made to said bill.

CB No 2. "An act to locate the seat of Government of Montana Territory passed January 16th 1865.

CB No 25. An act to Incorporate the North Side Ditch Company"

The Council refuses to Concur in the Amendments to said bill, and would respectfully ask that a Committee be appointed on the part of this House to Confer with a like Committee on the part of the Council in relation to said bill. Mess Bagg, Merriman and Borden are appointed on the part of the Council

CB No 45. "To provide increased Compensation to Officers in this Territory." Amendments

to said bill by the House were con
=curred in by the Council.
C/B No 58.
"An Act to Authorize William
Chunn & others and his associates to
maintain a ferry across Truckee River." passed
Jany 14th 1865.
C/B No 65. "An act to Incorporate the
Excelsior Coal Mining and Manufac
=turing Company" passed Jany 16th
C/B No 71.
An Act Concerning the Con
struction of Levees passed Jany 16
A/B No 25
An act to Incorporate the
Little Brickley Peas Wagon Road Co.
Passed the Council Jany 16th
A/B No 47.
"An act in relation to Executors
and Administrators. was passed by the
Council with Amendments, which are
hereby transmitted to the House
A/B No 56.
"An act to Incorporate the Virginia
City Gas Company" Passed Jany 16 1865
A/B No 58.
"An act for the protection of Roads"
Passed with an Amendment which is
herewith transmitted.
The following Notices for the introduction
of bills were received by the Council
January 16th
An act to secure Water privi
=leges for Mining and Mechanical Pur
=poses.
An act granting to Nelson W.
Parsons the right to maintain a Toll
Road from Nevada City to Red Rock
An act to Incorporate the

Montana Ditch Company
An act to regulate the fees of Officers Jurors and Witnesses.
An act to Create a fund for the benefit of Schools,
Geo A Haynes
Secty of the Council
CBNo2 CB No 2. having been read the 1st & 2d times was on Motion of Mr Smith laid over for further Consideration until Tuesday January 24th
The Ayes & Noes being called resulted as follows.
Ayes, Bell, Buck, Comstight, Faulds Johnson, McCormick, Smith & Mr Speaker 7
Nays— Bell & Huffaker, Mayhew and Regan 4
CB No 25 having been taken up, the CB25. following Conference Committee was appointed on the part of the House to Consult with a Corresponding number from the Council.
Mr Faulds, Johnson and Comstight.
CB 65 CB No 65 Having been read the 1st and 2d times, was referred to the Committee on Incorporations
CB 71 CB No 71 Having been read the 1st & 2d times, was referred to the Committee on Incorporations
On Motion of Mr Bell the House adjourned to 2 O'clock P.M.

Afternoon Session

House met agreeable to adjournment

Speaker in the Chair

Roll Called:

Absent Mr Ryan.

CB 71 The Committee on Judiciary to whom was referred CB No 71. beg leave to make the following report by returning the bill back to the House and recommend its passage

N. McCormick,
A.C. Mayhew } Committee
I.N. Buck }

Mr. McCormick made a Motion to reconsider the vote by which HB No 2. was postponed

Ayes Bell, Huffaker, McCormick Mayhew Ryan 5

Noes, Buck, Courtright, Faulds, Johnson Smith and Mr Speaker 6

And the Motion was lost.

The following Message was received from the Council

Council Chamber
Jany 17th 1865

Mr Speaker.

Sir, - I am directed by the Council to inform your Hon. Body that they had passed the following bills

C B No 65.

An Act to incorporate the Eickley Pear Wagon Road Company"

CB No 64.

An act providing for the Collection of the revenue

CB No 66.

An act authorizing Franks & Brody and C.E. Irvine to establish a Bridge or Ferry across the Bell Gate River

C B No 72,
An act to authorize the appointment of Commissioners of Deeds.
Also H B No 67,
An act to Incorporate the Beaver Town Co.
All of which is submitted to the favorable Consideration of your Hon Body
Geo A Haynes
Secty of Council
The following Communication was received from his Excellency the Governor.
Executive Office
Jany 17th 1865.
To the
Hon Speaker of the House
of Representatives
Sir: — I have this day approved H B No 33, entitled An act regulating the holding of Elections in Montana Territory H B No 44, entitled An act for the Compensation of David E Chamberlin for Services rendered and Money expended, and H B No 52 entitled an act to enable Soldiers to hold Claims.
Respectfully yours.
Sidney Edgerton.
Governor.
C B No 71, Having been read the 3d time
passed
Ayes- Bell, Buck, Cowtright, Hoffakes
Johnson, Mayhew, McCormick, Ryan
Smith and Mr Speaker, 11
Nays — None.
There being no objection the title was agreed
C B No 68, Having been read the 1st & 2d times
was referred to the Comm on Incorporations
C B No 69, Having been read the 1st and 2d times, Mr
Bell, Moved to reject the bill, lost as follows
Ayes. Bell Cowtright 2

Hays, Buck, Faulds, Huffaker, Johnson
Mayhew, McCormick, Ryan, Smith
and Mr Speaker. 9
The bill was then referred to the Committee
on Incorporations.
CB No 72. Having been read the 1st & 2d times
was referred to the Committee on Judiciary.
On Motion of Mr Mayhew a Committee
of three to ascertain the nature of bills
already passed. Mess Mayhew, Bell and Smith
were appointed said Committee.
The following Message was received.

Council Chamber
Jany 17th 1865.

Mr Speaker.

I am directed to inform your
Hon body that the following Resolution
was adopted by the Council

"That a joint Committee of
three from the Council and three from
the House of Representatives be appointed
and to adopt a Territorial Seal for the
Territory of Montana, and to agree upon
an appropriate device and Motto
for the same and that said Committee
report as soon as practicable.

Also the following resolution

That the House of Representatives
be requested to return immediately to
the Council the bill Concerning Crimes
and punishments together with a
Correct report of the Amendments
made by the House of Representatives.

Wm A Haynes
Secty of Council

CB 38 CB No 38. Was read the 1st & 2d Times, and
referred to the Committee on Education.
CB 54 CB No 54. Was read the 1st & 2d Times, and
referred to the Committee on Incorporations

1/13/16 CB No 66 was read the 1st & 2d times and on Motion to suspend the rules the Ayes & Noes were called
Ayes, Bell, Huffaker, McCormick and
Mr Speaker 4
Nays, Buck, Courtright, Faulds, Johnson
Mayhew, Ryan and Smith 7
And the Motion was lost
On Motion of Mr Buck the bill was
referred to a Special Committee
The Speaker appointed Messrs Buck,
Johnson and Bell said Committee
1/13/16 CB No 55 having been read the 1st & 2d times
Mr Ryan moved to lay the bill on the
table Lost
The bill was then read the 2d time, and
On Motion of Mr Courtright was referred to a
Special Committee Consisting of Messrs
Courtright, Faulds and Ryan,
On Motion of Mr Buck the
House adjourned.

Twenty Sixth day
January 18th 1865.
House met pursuant to adjournment
Speaker in the Chair
Prayer by the Chaplin
Roll Called
Absent Mr Smith
Minutes of last meeting read and
approved.
The following message was received
from the Council

Council Chambers
January 16th 1865.
Mr Speaker
I am instructed to inform your
Hon body that they have passed the
following bills.
CB No 7 An act to incorporate the Deer

Lodge Mining Company.
C B No 76. An Act to Incorporate the Montana Ditch Company.
C B No 73. An Act defining County boundary lines in Montana Territory
C B No 28. An Act to Incorporate the North Side ditch Co.
H B No 55. An Act to Incorporate the Brandon ditch Company.
The following notices for the introduction of bills was received by the Council.
An Act to Incorporate the Missoula Town Company.
An Act supplementary to An Act entitled An Act relating to Lodes Lodes and Ledges.
An Act legalizing the acts of Certain Officers of the County of Jefferson
Geo A Hayfield
duely of Council
C B 37 The Committee to whom was referred C B No 37, have had the same under consideration and beg leave to report the same back to the House with the recommendation that it pass with the following Amendments:
Strike out all of Sec 6 and insert the following.
"The Sheriffs of the several Counties shall be ex officio inspectors of Weights and Measures"
H B 66. Also H B 66. without Amendments and recommend its passage.
McCormick
Mayhew
Black
Committee
The Committee on Incorporation to whom was referred C B's Nos 19 & 74

have had the said bills under consid=eration, beg leave to report the same back and recommend their passage.

Mayhew
Buck
McCormick } Com

Mr Speaker:

Your Committee appointed to confer with a like Committee of the Council have agreed to the following Amendments to be embodied in said bill No 25 in said Conference.

"All water conveyed in said Ditch and not used by said Com=pany, shall be sold by said Com=pany at such price, and in such manner as the County Commission=ers shall regulate and direct

Jno Faulds Chm"

Mr Speaker:

Your joint Committee on Enrollment have examined A B 35 No 23057, and find the same correc=tly enrolled and have presented the same to the Governor for his approv=al

Smith Chairman

On Motion of Mr McCormick the regular order of business was suspended for the purpose of taking up and disposing of A Bills reported back from Committee

A B No 68 Was read the 3d time and passed.

Ayes, Bell, Buck, Faulds, Huffaker, Johnson, Mayhew, McCormick, Ryan Smith and Mr Speaker 9.

Nays, None

There being no objection the title was agreed to.

HB826 HB No 26, Was read 3d time and passed
Ayes, Bell, Buck, Faulds, Huffaker
Johnson Mayhew McCormick, Ryan
Smith and Mr Speaker 10
Nays = None.
There being no objection the title was
agreed to.

HB66. HB No 66 Was read 3d time and passed
Ayes; Bell, Buck, Faulds, Huffaker, Johnson
Mayhew, McCormick, Ryan, Smith & Mr Speaker 10
Nays = None.
There being no objection the title was agreed to.

HB58. Was ordered with the Amendments passed
by the Council and Amendments agreed to.

HB No 60 HB No 60, Was read with the Amendments
adopted by the Council and the Amend-
ments agreed to and the bill ordered
Enrolled.

CB No 27 CB No 27. Was on Motion
Of Mr McCormick, referred back to
the Committee on Incorporations

CB 19. CB No 19. Was on Suspension of
the rule and the 3d time and passed
Ayes, Bell, Buck, Faulds, Huffaker,
Johnson, Mayhew, McCormick, Ryan
Smith and Mr Speaker. 10
Nays = None,
There being no objection the title was
agreed to.

On Motion of Mr Mayhew a
Committee of one Consisting of Mr
Bell was appointed to Collect the
Amendments to Council Bill No 27
and report them to the House by 2
Oclock P. M.

Mr Courtright made a motion
to grant leave of absence to the Com-
mittee until 2 Oclock P.M.

Last

CB37 CB No 37. having been read with the Amendments, On motion to adopt the Amendments the Ayes and Noes were called.
Ayes= Buck, Mayhew, McCormick and Mr Speaker 4
Noes Bell, Courbright, Faulds, Huffaker, Johnson, Ryan and Smith 7,
And the motion was lost.
The Bill was then read the 3d time and passed.
Ayes=Bell, Courbright, Faulds, Huffaker, Johnson, Mayhew, Ryan and Smith 8
Nays= Buck, McCormick & Mr Speaker 3
There being no objection the title was agreed to.

CB65. CB No 65. Was read the 3d time and passed.
Ayes, Bell, Faulds, Huffaker, Mayhew, McCormick, Ryan, Smith & Mr Speaker 8
Nays= Buck, Courbright, and Johnson 3
There being no objection the title was agreed to.

Mr Mayhew Offered the following resolution.
Resolved;
By the House of Representatives, and the Council Concurring that there shall not be any act of a private nature introduced in either House after the 25th instant
Resolution adopted.
On Motion of Mr Mayhew the House appointed a committee of three consisting of Mess Mayhew McCormick and Bell, to confer with a like committee appointed by the Council for the purpose of agreeing upon a design for a Territorial Seal.

On Motion of Mr Courtright the House adjourned to 2 Oclock P M.

Afternoon Session

House met agreeable to adjournment
Speaker in the Chair
Roll Called
Absent Mayhew & Ryan
The following Message was received from the Council.

Council Chamber.
January 16th 1866.

Mr Speaker:

I am directed by the Council to inform your hon. body, that they have passed the following bills.

CB No 44.

An act to incorporate the Bannock City and Montana Wagon Road Company.

HB No 64.

An act to incorporate the Bozeman City and Fort Laramie Wagon Road and Telegraph Company, was passed with the following Amendment, Strike out the word "fifteen" line 7, Sec 6, and insert the word "ten"

HB No 65. An act to incorporate the Bozeman City and Milk River Wagon Road Company was passed with the following Amendment,

Strike out the word "fifteen" line 7 Sec 6, and insert the word "ten"

Geo. A. Haynes
Secty of Council

CB No 44 having been read the 1st & 2d times was referred to the Committee on Incorporations.

On Motion of Mr Mayhew the

House resolved to suspend action on private bills until the public bills were disposed of now in possession of the House.

H18 ~~H13~~ On motion of Mr Mayhew the House went into Committee of the Whole On House bill No 18. Mr McCornick in the Chair When the Committee arose in the evening the House adjourned until tomorrow morning.

Thirtieth Day.

House of Representatives
January 19th 1865.

House met pursuant to adjournment.
Speaker in the Chair.
Prayer by the Chaplain
Roll Called
Absent Mr McCornick
Minutes of last meeting read and approved
The following message was received from the Council

Council Chamber
January 19th 1865.

Mr Speaker:

I am directed by the Council to inform your Hon^ble body that they have passed the following bills
C B No 64. "An act to incorporate the Empire Mining Company"
C B No 67. " An act to incorporate the Silver Mountain Mountain Co.
C B No 69. "An act in relation to the location of Tunnell Claims.
C B No 60. An act to incorporate the Jefferson Mining Co.
The following Notices for the introduction of bills were received by the Council

January 18th 1865.

An act to Incorporate the Ashland Gold & Silver Mining Co."

Geo. S. Haynes
Secty of Council

HB 74 Mr Johnson introduced H.B. No 74.
An act to Incorporate the Union Mill and Ditch Company"

Mr. Bell introduced H.B. No 75.

HB 75 An act to Incorporate and establish the Idaho and Montana Wagon Road Co.

Mr McCormick introduced H.B. No 76

HB 76 An act to Incorporate the Bay Mining Co"

Mr. McCormick introduced H.B 77

HB 77 An act to Incorporate the Montana Iron Manufacturing Co.

Mr Mayhew introduced the following resolution
Resolved: That a Committee of three be appointed from the House to Confer with a like Committee of three from the Council to draft An act regulating the fees of Officers Jurors and Witnesses.

The Resolution was adopted and Mess Bell, Mayhew & Smith appointed said Committee on the part of the House.

The House took up H.B No 18 when the following report was made.

HB 18. Mr Speaker

The Committee of the whole House have had under Consideration H.B No 18. As Chairman of the Committee of the Whole I beg leave to report that the Committee have had the same under Consideration and recommend that the Amendments adopted by the Committee be adopted by the House.

W.F. McCormick
Chm of Comt.

On Motion of Mr Smith the report of the Committee was received.

The House then adopted all of the Amendments, And the Bill having been read the 3d time passed,

Ayes= Bell, Buck, Courtright, Faulds, Huffaker, Johnson, Mayhew, McCornick Ryan, Smith and Mr Speaker 11

Nays= None.

There being no objection the bill was agreed to.

CB27 The Committee to whom was referred CB No 27. beg leave to make the following report, the said bill has been carefully examined by the Committee and the Amendments to said bill noted and are herewith presented to the House

F Bell Comt

The report was received and on Motion of Mr Smith the Committee discharged.

Your Committee to whom was referred CB No 49. report the same back to the House without Amendments and recommend its passage.

N Faulds

J H Buck

F Bell Comt

CB61 C B No 61. having been read 1st & 2d time was referred to the Comt of Ways & Means

On Motion of Mr Buck Mr Mayhew was excused from attendance during the afternoon.

On Motion of Mr Bell the House adjourned to 2 O'clock P. M.

Afternoon Session

House met pursuant to adjournment.
Speaker in the Chair
Roll Called.
Absent Courtright & Smith

The following Message was received from the Governor

Executive Office
January 18th 1866

To the Speaker of the House
of Representatives

Sir: I have this day signed H B No 23. Entitled "An act to incorporate the Little Prickly Pear Toll Road Company" also H B No 57 "An act to incorporate the Big Horn Town Association"

Respectfully yours
Sidney Edgerton
Governor

H B No 55. H B No 55. having been reported back by the Special Committee with the following Amendments,
"One Wagon drawn by Two Animals Three dollars for each additional pair One dollar each Horseman fifty Cents for each Pack Animal fifty Cents, All loose Stock twenty five Cents.

Courtright
Ryan
Committee

C B 66. The Special Comt. to whom was referred C B No 66, beg leave to state that they have enquired into the facts in reference to the bill and find that it does not conflict with any franchise previously granted by this or any other previous Legislature, and recommend that it pass without Amendment.

Buck & Bell
a majority of Comt

On Motion of Mr Bell the resolve of the House passed yesterday to suspend all action on private bills until the public bills now in possession of the House were disposed of – was reconsidered

CB 55 CB No 55 Was read with the amendments The Amendments were adopted and the Committee discharged and the bill read a 3d time and passed.

Ayes = Bell, Buck, Cowbright, Faulds, Huffaker, Johnson, McCornick, Ryan, Smith and Mr Speaker 10

Nays = None

There being no objection the title was agreed to

CB 66 CB No 66, having been read for information,

Mr Johnson moved to amend the bill

Ayes & Noes were called with the following result.

Ayes, Cowbright, Faulds, Johnson and Smith

Noes = Bell, Buck, Huffaker, McCornick, Ryan and Mr Speaker 6

And the motion was lost

Mr Cowbright offered the following Amendment, "That all bills be paid in Green Backs"

Ayes & Noes were called with the following result

Ayes: Bell, Cowbright, Faulds & Johnson,

Nays, Buck, Huffaker, McCornick, Smith and Mr Speaker 6

And the motion was lost

Mr Johnson offered the following Amendment = "In Sec 3 line 3 instead of the 16th day of April day 16th day of March,

Amendment agreed to

The bill was then read a 3d time and passed
Ayes Bell Buck Courtright Faulds
Huffaker McCormick Ryan Smith
And Mr Speaker 9
Nay = Mr Johnson 1
There being no objection the bill was
agreed to

The Committee on Enrollment have
examined A B's Nos 55, 56, 58, 64, 65,
And 67, and find the same correctly
enrolled, and have presented the same
to the Governor for his approval.

Smith Chrm

A B 47 A B No 47, being under Consideration
with the Amendments made by the Council
they were all agreed to, except Sec 21
in the 3d line after the word "Jury"
Strike out the word "One" and insert
the words "a Jury of Six" which was
rejected

C B 73 C B No 73, having been read the 1st
and 2d times was referred to the Com
mittee on Towns and Counties.

On Motion of Mr McCormick
the House adjourned

Sixty First Day

Friday Jany 20th 1865

House met pursuant to adjournment.

Speaker in the Chair

Prayer by the Chaplain

Roll Called

Absent Mrs. Faulkner & Smith.

Minutes of last sitting read and approved.

The following Message was received

Council Chamber

January 20th 1865.

Mr Speaker.

I am directed by the Council to inform your Hon.e body that they have passed the following bills,

C B No 56. "An act to Incorporate the Missouri River Portage and Rail Road Company."

C B No 74. "An act to Incorporate the Missoula Town Company."

The following House Resolution was adopted by the Council.

Resolved by the Council the House Concurring, that there shall not be any acts of a private nature introduced in either House after the 23d inst.

Signed A E Mayhew

Mess.rs Merriman, Thompson, & Bragg were appointed a Committee on the part of the Council in relation to fees of Officers jurors and witnesses, to act in Conjunction with a like Committee from the House.

Geo A Haynes

Clerk of Council.

The Committee on Judiciary to whom was referred C B No 68. have had the same under consideration and beg leave to report the same back to the House with the recommendation that it pass

without amendment. W J McCormick
L A Buck "
A E Mayhew 3 Coms.

Mr Buck gave notice that he would on some future day introduce a bill to incorporate the Snake Ferry Co.
also, a bill to incorporate the Nipoma River Coal Mining Co.

A B 78. Mr Ryan introduced A B No 78.
"An act incorporating the East Gallatin Town Co." Read 1st & 2d times.
Mr Mayhew made a Motion to lay the bill on the table Lost.
The bill was then referred to the Committee on Incorporation.

A B No 79 Mr Ryan introduced A B No 79
"An act incorporating the Gallatin Town Co."
Read the 1st & 2d times and on suspension of the rules was read a 3d time and passed
Ayes Huffaker, Johnson, McCormick, Ryan, Smith and Mr Speaker 6
Nays= Bell, Buck, Cowbright, Faulds and Mayhew 5
There being no objection the bill was agreed to

A B No 80 Mr Bell introduced A B No 80.
"An act to authorize Territorial Treasurer and County Treasurers to pay interest on Territorial and County Warrants."
Read 1st & 2d times and referred to Committee on Ways & Means.

A B 75. A B No 75. Having been read the 1st & 2d times, was, on suspension of the rules read 3d time and passed.
Ayes- Bell, Buck, Cowbright, Faulds, Huffaker McCormick, Smith, and Mr Speaker 8
Nays= Johnson & Mayhew 2.
There being no objection the bill was agreed to.

A B 74 A B No 74 having been read the 1st & 2d times, the rules were suspended the bill read a 3d time and passed

Ayes, Buck, Courtright, Faulds, Huffaker, Johnson
Mayhew, McCormick, Smith and Mr Speaker 9
Nays None
There being no objection the title was agreed to.
The Comt on Incorporations to whom was referred
CB No 074, beg leave to report the same back to the
House and recommend its passage.
Mayhew, McCormick Buck, Comt
CB 074, CB No 074, was, on a Suspension of the rules read a
3d time and passed.
Ayes, Bell, Buck, Courtright, Faulds, Huffaker, Johnson,
Mayhew, McCormick, Ryan, Smith and Mr Speaker 11
Nays None
There being no objection the title was agreed to.
HB 77, HB No 77, having been read 1st & 2d time, was on
Suspension of the rules read a 3d time and passed,
Ayes, Bell, Buck, Courtright, Faulds, Huffaker, Johnson,
Mayhew, McCormick, Ryan, Smith and Mr Speaker 11
Nays None
There being no objection the title of the bill was agreed to
HB 76 HB No 76. Was read the 1st & 2d time and referred
to the Committee on Incorporations,
HB 77. HB No 77, Mr Buck moved a reconsideration
by which HB No 77. was passed, adopted
On Motion of Mr McCormick Sect 8 of said
bill was stricken out,
Mr McCormick moved a suspension of the
rules for the purpose of passing the bill—lost
Mr Bell moved to refer the Bill to Committee
on Incorporations—lost,
Mr Mayhew moved to adjourn to 2 Oclock
PM, Carried.
Mr McCormick appealed from the decision
of the Chair.
The question being shall the Chair be sustained
Ayes, Bell Courtright, Huffaker, Mayhew
and Ryan, & Mr Speaker
Nays Buck, Faulds, Johnson, McCormick Smith 5—
The Chair being sustained the House was adjourned

Afternoon Session

House met agreable to adjournment.
Speaker in the Chair.
Roll called.
Absent: Mes Courtright, Ryan, and Smith
The following message was received from the Governor.

Executive Office
January 26th 1865.

To the
Speaker of the House of
Representatives.

Sir= I have this day approved the following H.B's. No 56. "An act to incorporate the Virginia City Gas Co." No 58 "an act for the protection of Roads." No 64. "An act to incorporate the Bozeman city and Fort Laramie Wagon Road & Telegraph Co." No 65. "An act to incorporate the Bozeman city and Milk River Wagon Road Co." No 67 "An act to incorporate the Beaver Dam Co."

Respectfully yours
Sidney Edgerton Governor

H.B 25 The Committee on Incorporations to whom was referred H.B No 25. have had the same under Consideration and beg leave to report it back to the House and recommend its passage.
A.E. Mayhew Chairman

H.B No 77. H.B No 77. Was, On motion of Mr Mayhew referred to a Special Committee the Special Committee appointed Bell, Buck, & Johnson as said Committee.

C.B 56. C.B No 56. having been read the 1st & 2d times was on suspension of the rules read a 3d time and passed,
Ayes. Bell, Buck, Faulds, Huffaker, Johnson, Mayhew, McCormick, Ryan and Mr Speaker 9.
Nays=None.
There being no objection to the title it was agreed to

C.B 67 C.B No 67 having been read the 1st & 2d times was, On suspension of the rules read a 3d time and passed

Ayes, Bell, Buck, Courtright, Faulds, Huffaker
Johnson, Mayhew, McCormick, Ryan & Mr Speaker 10
Nays None,
There being no objection the title was agreed to.
CB No 79, having been read the 1st & 2d times, was, on
suspension of the rules read a 3d time and passed
Ayes, Bell, Buck, Faulds, Huffaker, Johnson,
Mayhew, McCormick, Ryan and Mr Speaker 9,
Nays=None. Courtright
There being no objection the title was agreed to.
HB No 63 was read the 3d time and passed
Ayes, Bell Courtright, Faulds, Huffaker, Johnson,
Mayhew, McCormick, Ryan and Mr Speaker 11
Nays=None
There being no objection the title was agreed to.
HB No 25, was read the 3d time and passed.
Ayes Huffaker, Johnson, Mayhew, McCormick,
Ryan, and Mr Speaker 6
Nays= Buck, Courtright & Faulds 3,
Mr 2 House Conference Committee to whom was
HB 2 referred HB No 2, beg leave to report that
the Council have adhered from their amen
dment McCormick & Bell Comt
HB 61 The Committee on Incorporation to whom was
referred HB No 61, beg leave to report the
same back to the House and recommend
its passage, A E. Mayhew,
W J. McCormick } Comt.
J E. Buck }
HB 61 HB No 61. was then read the 3d time and passed
Ayes. Buck, Courtright, Faulds, Huffaker, Johnson
Mayhew, McCormick, Ryan, & Mr Speaker 11
Nays= None
There being no objection the title was agreed to.
The Committee to whom was referred HB No 78.
HB 78 beg leave to report the same back to the House
with the recommendation that it pass with
the following amendments.
That nothing in this act shall be so construed

as to authorize said Company to take up not
than three Hundred and Twenty acres of
land to be selected by the Corporation from
such lands as are described in Section 2
of this Act, unless said Company make
additions to said Town site which may
be done by purchase of lands adjoin-
ing said Town site.

Mayhew, McCormick,
and Buck Count.

The Amendments were agreed to and the bill
read a 3d time and passed.

Ayes, Bell, Buck, Courtright, Faulds, Huffaker
Johnson, Mayhew, McCormick, Ryan, Smith
and Mr Speaker. 11

Nays = None.

There being no objection the title was agreed to.

B.B. 81. Mr Mayhew introduced B.B. No 81
"An act to incorporate the Bear Path
Wagon Road Co." The bill was read the
1st & 2d times, and on suspension of the rules
read a 3d time and passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker
Johnson, Mayhew, McCormick, Ryan, Smith
and Mr Speaker 11

Nays = None

There being no objection the title was agreed to.

H.B. 59 The Committee on Incorporation to
whom was referred House Bill No 59
beg leave to make the following report
After the last word in Section 2 insert as
follows: Provided that the operations
of said Incorporation shall not interfere
in any respect with the Water Claims
already taken up on said Creek and
Recorded in the Recorders Office of
Beaver Head County" and recommend
the adoption of the Amendment....

Mayhew Chairman

The Amendments were agreed to and the bill read a 3d time and passed.
Ayes: Bell, Buck, Courtright, Duffaker, Fowler, Johnson, Mayhew, Ryan, Smith, Mr Speaker 10
Nay, Mr McCormick 1
There being no objection to the title it was agreed to.

On Motion of Mr Mayhew H.B. No 45, was made the Special Order for to morrow.

Mr Bell offered the following Resolution.
Resolved; That the Standing Committees of this House be required to report all bills in their possession at as early a day as practicable. Adopted.

Mr Buck introduced H.B. No 82
H.B. 82 "An act to incorporate the Mania Ferry Co" Read the 1st and 2d times and on suspension of the rules, was read a 3d time and passed.
Ayes, Bell, Buck, Courtright, Fowler, Duffaker, Johnson, Mayhew, McCormick, Ryan, Smith and Mr Speaker. 11 Nays-None
There being no objection to the title it was agreed to.

Mr Buck introduced H.B. No 83,
H.B. 83 "An act to incorporate the Missouri River Coal Company."
Read the 1st & 2d times and on suspension of the rules read a 3d time and passed.
Ayes: Buck, Courtright, Fowler, Duffaker, Johnson, Mayhew Ryan and Mr Speaker. 8
Nays. Bell, McCormick and Smith. 3
There being no objection the title was agreed to.

On Motion of Mr Mayhew the House adjourned.

Thirty Second Day.

Saturday January 21st 1865

House met pursuant to adjournment.
Speaker in the Chair
Prayer by the Chaplain.
Roll Called, Absent Mr Johnson
Minutes of yesterday read and approved
The following Message was received from the Council

Council Chamber
January 21st 1865

Mr Speaker. I am directed by the Council to inform your Hon body that they have passed the following bills to wit:-
CB No 82. "An act to Incorporate the Bannock Gold and Silver Mining Co."
CB No 26. "An act to Incorporate the Pleasant Valley and Dry Creek Canon Wagon Road Co."
Was read the first time and rejected.
CB No 51. "An act to regulate proceedings in Criminal Cases in the Courts of Justice in Montana Territory". was passed with Amendments, which are herewith transmitted.
The following notices for the introduction of bills were received by the Council Jany 20 1865. "An act to Incorporate the Eureka Coal and Manufacturing Co." "An act to Incorporate the Virginia City Stock Board of Trade," "An act to Incorporate the Willow Creek Town Co."

Geo. A. Hynes
Secty of Council

The Govt. on Incorporations to whom was referred CB No 59. have had the same under Consideration, and beg leave to report the same back to the House, and recommend its passage. A E Mayhew Chairman
The Judiciary Comt. to whom was referred CB No 72. have had the same under Consideration and beg leave to report the same back to the House and

recommend its passage. McCormick Chm.

CB 11 A Majority of the Committee on Incorporations to whom was Referred CB No 11. have had the same under Consideration and refer the same back to the House and recommend its passage.

Mayhew of Beck.
Majority of Comtee

CB No 11 A Minority of the Comt. on Incorporations would ask leave to make the following report- on CB No 11. That the Legislature has passed two bills, one known as the Rocky Mountain and Missouri River Wagon Road and Telegraph Co. and the other known as the Bozeman City and Fort Laramie Wagon Road Co. That the bills above referred to authorize said Companies to locate and Construct Bridges and Ferries upon the Yellow Stone River at any point that said Companies might select between Yellow Stone City on the Yellow Stone River and the Mouth of the Big Horn River. That CB No 10, if passed by the Legislature would Conflict with rights already secured to the Companies above referred to. For these reasons your Committee would recommend that the bill do not pass.

W. J. McCormick

HB 77. Your Special Comt. to whom was referred HB No 77 have had the same under Consideration and beg leave to report that they have examined the bill in reference to the matters submitted and request that Section 1 of said bill be stricken out as being objectionable.

Forbes Bell
L A Beck
E B Johnson
} Committee

On Motion the report of the Committee was received and the Committee discharged.

HB 78. The Comt on Engrossments have examined HB No 78 and find the same Correctly engrossed.

Smith
Chairman

Mr Ryan gave Notice that he would on some future day introduce a bill to Incorporate the Virginia City and Carson Creek Wagon Road Company." Also,

To Incorporate the Great Western Mining and Manufacturing Co."

Mr Faulds gave notice he would on some future day introduce a bill to Create a fund for the benefit of Schools Also, a bill to invest Religious Societies with Certain powers of Bodies Corporate.

Mr Stuffaker gave notice that at an early day he would introduce a bill "Concerning Jails and Jailors"

Mr Bell introduced A B No 84.

A B 84 An Act to Incorporate the Gibbin Town Co"

Read the 1st & 2d time and on suspension of the rules read a 3d time and passed.

Ayes. Bell, Buck, Courtright, Faulds, Stuffaker Mayhew, Ryan, Smith and Mr Speaker 9

Nays = Mr Johnson 1

There being no objection the title was agreed to

Mr Bell introduced A B No 85.

A B 85 "An act to Incorporate the East Gibbin Town Co." Which was read the 1st & 2d time, and Mr Mayhew moved to lay it on the table, which was lost. The rules having been suspended the bill was read a 3d time and passed.

Ayes: Bell, Buck, Faulds, Stuffaker, Johnson McCormick, Ryan, Smith and Mr Speaker 9

Nays. Courtright and Mayhew 2

There being no objection the title was agreed

Mr Bell introduced A B 86.

A B 86 "An act to Incorporate the Town of North Gibbin Read the 1st & 2d times and Mr Mayhew moved to lay the bill on the table. Lost.

On Motion of Mr Mayhew the bill was referred to a Special Committee, Consisting of Bell, Mayhew

and Huffaker,

HB87. Mer McCormick introduced HB No 87, "An act changing the name of Bald Mountain in Beaver Head County" Read the 1st & 2d times and on suspension of the rules read a 3d time and last.
Ayes; Courtright, McCormick, Ryan, Huffaker and Mer Speaker 5
Noes Bell, Buck, Faulds, Johnson, Mayhew, Smith 6
HB No 59 was on suspension of the
HB59 rules read a 3d time.
Mer Bell by consent of the House proposed the following Amendment, "Strike out all of sec 3." Objected to, and the bill passed.
Ayes: Courtright, Huffaker, Johnson, Faulds, Mayhew, McCormick, Ryan, Smith 8
Nays, Bell, Buck & Mr Speaker. 3
There being no objection the title was agreed to
Mr Buck made a motion to reconsider the vote by which HB No 84 & 85 were passed. Lost.
Ayes, Buck, Faulds, Johnson, Mayhew, Smith 5
Nays. Bell, Courtright, Huffaker, McCormick, Ryan and Mr Speaker 6
HB48 HB No 48, was read for information
On Motion of Mr Mayhew sec 2. was stricken out.
On Motion of Mr McCormick the words "Commander in Chief" was stricken out and the words "Regiments and Companies," inserted. On Motion of Mr Bell the word "three" was inserted between the words "Every Months" so as to read "every three Months," the bill was then read a 3d time and passed
Ayes, Bell, Buck, Courtright, Faulds, Huffaker, Mayhew, McCormick, Smith and Mr Speaker. 9
Nays=None.
There being no objection the bill was agreed to
Mr Huffaker gave notice that on to morrow he would move a reconsideration of the vote by which HB 59 passed.
On Motion of Mr Mayhew the House adjourned to Monday.

Thirty Third Day

Monday Jany 23d 1865

House met pursuant to adjournment.
Speaker in the Chair
Prayer by the Chaplain
Roll Called. Absent Faulds
Minutes of Saturday read and approved

A1337. The Court on Incorporations to whom was refered A No 37. beg leave to report the same back to the House and recommend its passage.

Mayhew Bell, Court.

A1360. The joint Court on Enrollment have examined A No 60. and find the same Correctly Enrolled, and have presented the same to the Governor for his approval.

Smith Chairman

C1338. The Court on Education to whom was refered C No 38, beg leave to make the following report, and recommend its passage.

Smith, Bell of Johnson Court.

C1358 The Court to whom was refered C No 58. have considered the same and report it back to the House and recommend that it pass with the following Amendment. "Strike out all of 6th line after the word "Road" and all of line 7. and insert before the word "Miles" in line 8. the word "four" and between the words "above" and "such" in same line insert the words "and below"

Mayhew Chairman

A1386 The Special Committee to whom was refered A No 86. which bill is for the purpose of incorporating the Town of North Ophir

Your Committee find by examination that the said Town has been laid off according to the laws of the United States and that there has been a plate of the Town regularly filed and recorded. Your

Committee therefore recommend the passage of the bill. A E. Mayhew
Francis Bell, Secretary

1888 Mr Mayhew Introduced C B No 88
"An act Incorporating the Gallatin Ferry Co"
Read the 1st and 2d times, and on suspension of
the rules was read a 3d time and passed.
Ayes: Bell, Buck, Cowbright, Huffaker,
Mayhew, McCormick, Ryan, Smith, Stuart
Johnson and Mr Speaker. 11
Nays: None.
There being no objection the bill was agreed to.
The following message was received.

Council Chamber
Mr Speaker. January 21st 1865.
I am directed by the Council to
inform your Hon body that the Council
has passed the following bills
C B No 79, "An act to Incorporate the Gallatin
Valley Ditch Co"
C B No 81, "An act to Incorporate the Deer Lodge
and Silver Bow Pagan Road Company"
C B No 83, "An act to Incorporate the Montana
Bridge Company."
C B No 84, "An act to secure certain privileges
to Thos. D Pitt."
C B No 85, "An act to Incorporate the Ashland
Gold and Silver Mining Company."
C B No 86, "An act to Incorporate the Eureka Coal
Mining and Manufacturing Company."
C B No 87, "An act to Incorporate the Willow
Creek Town Company."
H B. No 44, "An act to establish a Water Co in
Virginia City"
H B. No 53, "An act to dissolve the bonds of Matrimony
existing between Hiram R. Payne and
Adelide Payne."
H B No 72 "An act to Incorporate the Virginia City
and Summit City Pagan Road Company."

The Amendments of Committee of Conference on A B No 2. were Concurred in by the Council

In accordance with the wish of the House that the Council recede from their amendments in part of A B No 47. "An act in relation to Executors and administrators" the Council have receded from said Amendments.

The Council Concurred in House Amendments to C B No 55. and 66.

A B No 49. "An Act Concerning Fences" was indefinitely postponed.

Notice for the introduction of a Joint Resolution and Memorial was received January 21st 1865. Geo A Haynes Secty of Council

C B 6. The Court on Incorporations to whom was referred C B No 6. report the same back to the House and recommend that it be laid on the table.

Mayhew, McCormick 3 Comt.
Buck 3

A B. 89 Mr Ryan introduced A B No 89. "An act to Incorporate the Virginia City and Camas Creek Wagon Road Co" Read the 1st & 2d time, and on suspension of the rules, was read a 3d time and passed.

Ayes: Bell, Buck, Courtright, Huffaker, Johnson, McCormick, Stuart, Smith and Mr Speaker 9.

Nay Mr Mayhew 1

There being no objection the bill was agreed to.

A B 90 Mr Stuart introduced A B No 90. "An act to Incorporate the Big Hole River Bridge Co"

Read the 1st & 2d time, and on suspension of the rules was read a 3d time and passed.

Ayes: Bell, Buck, Courtright, Huffaker, Johnson, Mayhew, McCormick, Ryan, Stuart, Ashleith and

Mr Speaker

Nays: None.

There being no objection the title was agreed to.

HB91. Mr Bell introduced HB 91.

"An act to incorporate the Peter Funk Mining Company." Read the 1st & 2d times and on Suspension of the rules read a 3d time and passed.

Ayes: Bell, Buck, Huffaker, Ryan, Stuart and Smith Johnson.

Nay, Courtright, Mayhew, McCormick, and Mr Speaker.

There being no objection the title was agreed to

HB94 Mr Smith introduced HB No 94.

"An act to incorporate the Lone Star Co." Read the 1st & 2d times, and on Suspension of the rules read the 3d time and passed.

Ayes: Bell, Buck, Courtright, Huffaker, Johnson, Mayhew, McCormick, Ryan, Stuart and Smith.

Nays: None.

There being no objection the title was agreed to

HB90 Mr Ryan introduced HB No 90.

"An act incorporating the Great Western Mining and Manufacturing Company." Read the 1st & 2d times and referred to the Committee on Incorporations.

HB95. Mr Stuart introduced HB No 95.

"An act incorporating the Deer Lodge Ditch Company." Read the 1st & 2d times and referred to the Committee on Incorporations.

HB92. Mr Huffaker introduced HB No 92.

"An act Concerning Jails and Jailors." Read the 1st & 2d times, and referred to the Committee on Judiciary.

HB No 6 On motion of Mr McCormick HB No 6 was taken up, and on motion of Mr Buck the bill was rejected.

CB No 10. CB No 10. having been called up was read the 3d time and on its final passage was lost.

Ayes, Mayhew, Ryan and Mr Speaker 3.
Nays: Bell, Buck, Courtright, Huffaker, Johnson, McCornick, Stuart and Smith 8

By leave of the House Mr Mayhew gave notice that he would on the 27th introduce a bill in relation to Partnerships.

CB 69. CB No 69. having been read the 1st & 2d times was referred to the Committee on Mines and Minerals.

CB 60. CB No 60. having been read the 1st & 2d times was referred to the Committee on Incorporations

CB 82. CB No 82. having been read the 1st & 2d times was referred to the Committee on Incorporations,

CB 59. Mr Huffaker made a motion to reconsider the vote by which CB No 59, passed Motion lost.

On motion of Mr Mayhew the House adjourned to 2 Oclock P.M.

Afternoon Session

House met pursuant to adjournment
Speaker in the Chair
Roll Called:
Absent. Courtright Johnson and McCornick

CB 84 CB No 84 Having been read the 1st & 2d times was on Suspension of the rules read a 3d time and passed.
Ayes: Buck, Courtright, Huffaker, Mayhew, Ryan, Stuart and Smith 7.
Nays. Bell and Mr Speaker. 2.

There being no objection the title was agreed to.

CB 86. CB No 86 was read the 1st & 2d times and on Motion of Mr Buck, the name of J. C. Buchanan was stricken out. The bill was then referred to the Committee on Incorporations.

CB83 CB No 83 Was read the 1st & 2d times and on
Motion of Mr Stuart laid on the table.
CB70 CB No 70. Was read the 1st & 2d time,
Mr Huffaker moved to refer it to a Special
Committee, Carried
Messrs Huffaker, Buck, and Bell were
appointed said Committee
CB87 CB No 87 Having been read the 1st & 2d times
On Motion of Mr Courtright the name of
A. P. Langford was inserted in the bill,
Mr Courtright moved to lay the bill on the
table, which motion was lost,
On suspension of the rules the bill was then
read the 3d time and passed.
Ayes, Bell, Buck, Courtright, Huffaker
Mayhew, McCormick, Ryan, Stuart,
Smith and Mr Speaker — 10
Nays; None.
There being no objection the title was agreed to.
CB85. CB No 85. Having been read the 1st & 2d times
was referred to the Committee on Incorporations

The following Message was received
from the Council

Council Chamber
Mr Speaker, January 23d 1865.

I am directed by the Council to
inform your Hon body that they ~~have~~
adopted the following Resolution on the
23rd January 1865 And respectfully ask
that the House of Representatives
immediately adopt the same.
Resolved. That a Committee of three of
the Council be appointed and request
that a like number be appointed by
the House to consider Council Bill
No 27, "An Act Concerning Crimes and Punishment" Mess Potter Merriman and
Bagg are appointed on the part of

of the Council. Ger. A. Haynes
Secty of Council
Mr Mayhew moved the adoption of the Resolution just read from the Council — Agreed to, and the following Committee was appointed Mess. Mayhew, Smith & Bell.

CB 81. CB No 81 Was read the 1st & 2d times and referred to the Committee on Incorporations

CB 72 CB No 72. Was on suspension of the rules read the 3d time and passed.
Ayes: Bell, Buck, Courtright, Duffaker, Johnson, McCormick, Ryan, Stuart and Smith and Mr Speaker 10
Nays: None.
There being no objection the title of the bill was agreed to.

HB 96 Mr Stuart introduced HB No 96.
"An act to incorporate the Sioux Bridge Co."
Read the 1st & 2d times, and referred to the Committee on Incorporations.

HB 97. Mr Buck introduced HB No 97.
"An act incorporating the Ophir Ferry Co."
Read 1st & 2d times, and referred to the Committee on Incorporations

HB 98. Mr Buck introduced HB No 98.
"An act authorizing Oliver Lokenhozer to establish a Ferry across the Missouri River."
Read the 1st & 2d times and referred to the Committee on Incorporations

On motion of Mr Courtright the House adjourned.

Thirty Fourth Day.

Tuesday Jany 24th 1865.

House met pursuant to adjournment.

Speaker in the Chair.

Prayer by the Chaplin.

Roll Called. Absent: Mr Faulds.

Minutes of yesterday read and approved.

CB69. The Committee on Mines and Minerals to whom was referred CB No 69, have had the same under Consideration and beg leave to report the same back to the House with the recommendation it pass with the following Amendments.

Strike out all of Sec 2, after the word "provided" in line 6, and insert "That nothing in this act shall be so construed as to impair, infringe, or take away any prior rights of any Lods, Lodes, or Ledges, adverse previous to the preemption of said Quartz Claims"

Mr Stuart moved to reconsider the vote taken yesterday to reconsider House action on CB No 69. Carried.

Ayes and Noes Called.

Ayes: Bell, Buck, Courtright, Johnson, Ryan, and Stuart. 6

Nays. Huffaker, Mayhew, McCormick, Smith and Mr Speaker 5

Mr Bell offered a Motion to reconsider House action in passing CB No 69, decided out of order.

No 32 On Motion of Mr Huffaker the House went into Committee of the Whole, on CB No 2.

Mr Huffaker in the Chair.

When the Court arose the Chairman made the following report

Mr Speaker

The Court of the whole have had CB No 2 under Consideration and beg leave to report the same back with the following Amendments, Strike out the word Virginia

wherever it occurs and insert the word Nevada. Also, strike out Sections 2, 3, & 4. Duffaker Chairman

Mr Buck, Moved to accept the Report of the Committee

The House then adjourned to 2 Oclock P.M.

Afternoon Session

House met

Speaker in the Chair

Roll Called

Absent. Courtright and Stuart.

A B No 18. A B No 18 was taken up and the Amendments made by the Council Concurred in and the Bill Ordered Engrossed.

The following Message was received

Council Chamber

Mr Speaker: January 24th 1865.

I am directed by the Council to inform you Hon body that action was had on the following bills.

C B No 10, "An Act Creating Certain Offices passed January 23d 1865.

H B No 6. "An act to regulate proceedings in Civil Cases." Was passed Jany 23d with Amendments which are herewith transmitted

H B No 13, "An Act to prevent Officers from dealing in Certain Securities" Was passed Jany 23, with Amendments which are herewith transmitted

H B No 19. "An act Concerning Marks & Brands" Was passed Jany 23d with Amendments which are herewith transmitted.

H B No 75. "An Act to Incorporate and Establish the Idaho and Montana Wagon Road Co" Was indefinitely postponed Jany 23d.

H B No 79. "An Act to Incorporate the

Gallatin Town Co" was passed without Amendments

Sec & Hayes
Secty of Council.

H.B.No 51. H.B.No 51. having been taken up the Amendments by the Council were read, the Amendments agreed to and the bill ordered engrossed.

C.B.No 2 The House then took up C.B.No 2.

On Motion of Mr Smith the following Amendments reported by the Committee were adopted.

Strike out the word "Virginia" wherever it occurs and insert instead thereof the word "Nevada"

Ayes, Buck, Courtright, Faulds, Johnson Ryan, Stuart, Smith 7

Nays: Bell, Huffaker, Mayhew, McCormick, and Mr Speaker 5

Mr Buck moved to strike out Sections 2, 3, & 4, as the Committee had reported Adopted.

The rules were then suspended, the bill read a 3d time and passed.

Ayes: Buck, Courtright, Faulds, Johnson Ryan, Stuart Smith 7

Nays: Bell, Huffaker, Mayhew, McCormick, and Mr Speaker 5

There being no objection the title was agreed to,

H.B.No 69 H.B.No 69, having been read the Amendments were not agreed to, the bill was then read the 3d time and passed.

Ayes: Bell, Buck, Faulds, Huffaker, Johnson, Mayhew, Ryan, Stuart, 8

Nays: McCormick, Smith and Mr Speaker 3

There being no objection the title was agreed to.

C.B.No 58 The House then took up C.B.No 58. with the Amendments which were adopted and the bill read a 3d time and Passed

Ayes: Bell, Johnson, Smith 5

Nays: Buck, Courtright, Faulds, Huffaker,

McCormick, Ryan, Stuart, Mr Speaker 7.
The House excused Mr Mayhew from attendance during the day.

CB No 38. CB No 38. having been dealt with the Amendments reported by the Committee— the amendments were adopted and the bill read a 3d time and passed.
Ayes: Bell, Buck, Faulds, Huffaker, Johnson McCormick, Ryan, Stuart, Smith and Mr Speaker. 10
Nays: None.

There being no objections the title was agreed to.

SB 86 SB No 86. Having been read the 3d time passed.
Ayes: Bell, Buck, Faulds, Huffaker, Johnson McCormick, Ryan, Stuart, Smith & Mr Speaker 10
Nays: None.

There being no objections the title was agreed to.

CB No 49. CB No 49, having been read the 3d time passed.
Ayes: Bell, Buck, Faulds, Huffaker, Johnson McCormick, Ryan, Stuart, Smith & Mr Speaker 10
Nays: None.

There being no objections the title was agreed to.

SB 77. SB No 77, having been read, Mr Bell C. moved to strike out sec 7, Carried.
The bill was then read a 3d time and passed.
Ayes: Bell, Buck, Faulds, Huffaker, McCormick Ryan Smith, Mr Speaker 8
Nays: Johnson & Stuart 2.

There being no objections the title was agreed to

SB 37. SB No 37. Was read the 3d time, and put to its final passage and last.
Ayes: Bell, Buck, McCormick & Ryan 4.
Nays: Courbright, Faulds, Huffaker Johnson Stuart, Smith & Mr Speaker 7
The House then adjourned.

Thirty Fifth Day.

Wednesday, January 25th 1865

House met pursuant to adjournment

Speaker in the Chair.

Prayer by the Chaplain.

Roll Called. Absent Mr Faulds.

Minutes of last meeting read and approved.

The Special Committee to whom was referred
CB No 70 have had the same under consider-
ation and find, that it does not conflict
with any privileges granted, and that the
Construction of said Ditch will be of great
benefit to the farming Community on the
West side of the Gallatin River, and
therefore recommend that it pass with
the following amendments

Strike out all of line 7, sec 2, to the
word "side" and insert the words "the
West." Strike out in line 9 same sec
the words "Either or both." and insert the
words "the West" Strike out in line 14 of
same section the words "either or both"
and insert the words "the West" Strike out
half of line 4 and all of 5, 6, 7, 8, 9, & 10 line sec
16 and insert "Which is to cover all the high
bottoms and table lands fit for farming
purposes on the West side of the Gallatin
River down to the Confluence of the East
and Main Gallatin Rivers, and when so
located shall have the exclusive right
to maintain and operate the same"
Add sec 17, "That said Company shall
Complete said ditch by the first day
of June 1866, Otherwise the Charter to be
Void.

W Huffaker }
L H Buck } Committee
Francis Bell }

On Motion of Mr Bell the report was
received and the Committee discharged.

CB 27. Mr Speaker.

Your Committee of Conference to whom was referred C B No 27 "An act Concerning Crimes and punishments" ask leave to report that they have had the same under Consideration, and have agreed to the following Amendments

Sec 55 line 2. After the word "being" insert the words "of which he shall have knowledge"

Sec 127 Strike out of House Amendment (to this Section) All after the word "years" in the 7th line

House Amendments to Sections 58, 60, 61, 64 also Council Amendments to House Amendments to Sections 169, 161 and 162 were agreed to by the Committee.

A E Mayhew }
Francis Bell }
A J Smith } Const.

On Motion of Mr Buck the report was received and the Committee discharged

The Committee on Judiciary to whom was referred H B No 92. have had the same under Consideration, and beg leave to report the same back to the House and recommend that it pass without amendment.

W H McCormick, Mayhew
I N Buck Const.

Mr Stuart gave notice that he would on to morrow introduce a bill "In relation to Trout fishing."

HB 18 The Committee on Engrossment have examined
HB 51 H Bs Nos 18 & 51 and find the same Correctly Engrossed. Ryan Chairman

The following message was received from the Council Chamber Jan 25 18

Mr Speaker.— I am directed by the Council

to inform your Hon. body that they have passed the following bills.
CB № 91. "An act to incorporate the Stock Exchange and Board of Trade of Virginia City"
CB 92. "An act to incorporate the Alkali Town Co"
CB № 96. "An act to provide the issuing certain Legal processes on Sunday"
NB 68. "An act to incorporate the Ramus Horn Toll Road Co" was passed with amendments which are herewith transmitted
NB № 70. "An act incorporating the Fort Benton and Kootenay Mayor Road Company"
Geo S Hayes
Secty of Council
CB 40 CB № 40 Having been read the 1st & 2d times was referred to the Court on Town & Counties
The following message was received from the Governor.
Executive Office
January 27th 1865.
To the Hon. Speaker
of the House of Representatives
Sir— I have this day signed
HB 60 House Bill № 60 "An Act Concerning Guardians and Wards"
Respectfully Yours.
Eddie Edgerton
Governor.
HB 37 Mr Buck moved to reconsider the bill by which HB № 37 was lost. Carried.
The bill was then read for information amended and passed.
Ayes: Bell, Buck, Cowbright, Faulds, Huffaker, Johnson, Mayhew, McCormick, Ryan, Stuart, and Mr Speaker 11
Nays: None,
There being no objection the bill was agreed to
CB 83 CB № 83. Was, On motion of Mr Mayhew taken from the Table and referred to a Special Committee Consisting of Mayhew

Mayhew Stuart and Buck.
The following message was received from
the Council.

Council Chamber
January 25th 1865

Mr Speaker.

I am directed by the Council
to inform your Hon'd body that House
Amendments to C.B. No 2. were not Concurred
in by the Council, and would respectfully
ask that a Committee on the part of the
House, be appointed to Confer with a
like Committee on the part of the Coun-
cil in relation to said bill. Messrs Bagg
Potter and Thompson were appointed on
the part of the Council Geo A Stevens
Sec of Council.

On Motion of Mr Mayhew a Committee
was appointed on the part of the House
to Confer with the above Committee named
by the Council, Messrs Mayhew, Smith,
and Ryan were appointed said Committee.

N.B/100. Mr Faulds introduced N.B 100
"An Act to incorporate religious societies with
Certain powers of bodies Corporate"
Read the 1st & 2d times, and on suspension
of the rules read a 3d time and passed.
Ayes: Bell, Buck, Courtright, Faulds,
Duffield, Mayhew, McCormick, Ryan
Stuart, Smith and Mr Speaker 11
Nays: None,
There being no objection the bill was agreed to.

N.B/101. Mr Faulds introduced N.B 101.
"An Act to Create a fund for the benefit of
Schools," Read 1st & 2d times, and on suspension
of the rules read a 3d time and passed.
Ayes: Buck, Courtright, Faulds, Duffield, Johnson
Mayhew, McCormick, Ryan, Smith, Stuart. 10
Nays: Bell & Mr Speaker 2

There being no objection the title was agreed to.
CB 70 Mr Mayhew Called up CB No 70 which was read
with the amendments, the bill and amendments
were then recommitted to a Special Committee Con
=sisting of, Mayhew, Coolbright and Stuffaker.
HB 92 & B No 92, was on a suspension of the rules
read a 3d time and passed.
Ayes; Bell Buck, Coolbright, Faulds, Stuffaker
Johnson, Mayhew, McCormick, Stuart, Smith
Mr Speaker 11
Nays; None.
The title of the bill was then Changed to Jails and
Jailors.
HB 68 & B No 68. Was read with the amendments
made by the Council, the House Concurred
in the Amendment.
HB 13 & B No 13, was read with the amendments
made by the Council, and the amendments
Concured in.
The House then adjourned to 2 Oclock P M

Johnson Clerk

House met pursuant to adjournment,
Speaker in the Chair
Roll Called.
Absent; Messrs Mayhew and McCormick.
HB 69 & B No 69, Was read with the amendments
adopted by the Council, and the Amendments
agreed to and the bill ordered engrossed.
The Committee on Incorporations to whom
~~the bill~~ was referred CB No 5, have had the
same under Consideration for a long
time and beg leave to report said Bill
back to the House and recommend
its passage with the following Amendments
In Sec 1, of said bill insert the names of
William Graham, Francis Stuart, N. N. Dalley
& E Irwin and C. S. Bagg. A. E. Mayhew
Chairman

The Amendments were adopted as suggested by the Committee and the bill read a 3d time and passed.
Ayes: Bell, Buck, Courbright, Faulds, Huffaker, Johnson, Mayhew, McCormick, Ryan, Smith and Mr Speaker 11
Nays: None.
There being no objection the title was agreed to.
The Joint-Committee on Enrollment have examined A B's Nos 2, 4, 5 & 53. and find them correctly enrolled, and have presented the same to the Governor for his approval.
Smith Chairman

A B 102. Mr Bell introduced A B No 102.
"An act authorizing certain persons to solemnize Marriages."
Read the 1st & 2d times and on suspension of the rules read a 3d time and passed.
Ayes: Bell, Buck, Faulds, Huffaker, Johnson, Mayhew, McCormick, Smith & Mr Speaker 9
Nays: Courbright, Ryan & Stuart. 3
There being no objection the title was agreed to.

A B 103 Mr Buck introduced A B. No 103,
"An act Concerning License."
Read the 1st & 2d times and referred to Committee on Ways & Means."

On motion of Mr Courbright the House adjourned to 10 o'clock A M to morrow.

Thirty Sixth Day.

Thursday January 26th 1865.

House met pursuant to adjournment

Speaker in the Chair.

Prayer by the Chaplain.

Roll Called,

Absent: Smith and Johnson,

Minutes of yesterday read and approved.

The following Message was received from the Council.

Council Chamber

January 25th 1866.

Mr Speaker:

I am directed by the Council to inform Your Hon. body that action was had on the following Bills

C B No 91 "An Act defining the time for acts and joint Resolutions to take effect.

Was passed January 25th

C B 98. An Act relating to the printing of the Laws and Joint Resolutions of the Council and House of the Joint Legislative Assembly of the Territory of Montana." Was passed January 25th

C B No 27. "An Act Ordaining Crimes and Punishments." The report of the Committee of Conference appointed to Consider said Bill was adopted by the Council.

C B N° 64. "An act to enable Road Ditch Manufacturing and other Companies to become bodies Corporate

C B N° 95 "An Act to Incorporate the Eureka Gold and Silver Mining Company was passed.

C B No 93. "An act to Incorporate the Big Hole River Bridge Co."

C J. R N°7 "Rendering the thanks of the Legislative Assembly to the Officers and Soldiers of the Union Army for

for Services rendered in the field
Passed January 26th 1865.
Geo A Haynes
Secty of Council

Mr McCormick presented two petitions of the Citizens of Madison County for the division of the County—
Referred to the Committee on Towns and Counties

The Court on Incorporations to whom
HB76 as referred HB No 76 & 95 beg leave to
HB95 report that said bills do not Pass
A. E. Mayhew Chm

The Court on Towns and Counties reported back CB 73, with Amendments which Amendments were adopted.

HB104 Mr Stuart introduced HB No 104.
"An Act in relation to Trout fishing"
Read the 1st & 2d times, and on suspension of the rule read the 3d time and passed.
Ayes: Buck, Courtright, Faulds, Huffaker, McCormick, Ryan, Stuart, Smith & Mr Speaker 9
Nays: None.

There being no objection the title was agreed to.

CJR 7 CJ Resolution No 7, was read the 1st & 2d times and referred to the Committee on Federal Relations

CB 98. CB No 98, was read the 1st and 2d times and on suspension of the rules was read the 3d time and passed.
Ayes: Bell, Buck, Courtright, Faulds, Huffaker, Johnson, Mayhew, McCormick, Ryan, Stuart, Smith and Mr Speaker 12
Nays: None.

There being no objection the title was agreed to.

CB 97 CB No 97, having been read the 1st & 2d times was referred to the Court on Judiciary

CB 95. CB No 95. Was read the 1st & 2d times, and on suspension of the rules was read the 3d time and passed.

Ayes: Bell, Buck, Faulds, Huffaker, Johnson
Mayhew, Ryan & Mr Speaker 8
Nays: Courtright McCornick & Stuart 3
There being no objection the title was agreed to.
CB 96 CB No 96. was read the 1st & 2d times, and on
suspension of the rules was read the 3d time
and passed.
Ayes: Bell, Buck, Faulds, Huffaker, Johnson,
Mayhew, Ryan, Stuart Smith & Mr Speaker 10
Nay: Mr McCornick 1
There being no objection the title was agreed to.
CB 92. CB No 92, was read the 1st & 2d Times, and on
suspension of the rules was read 3d time and
passed.
Ayes: Courtright, Huffaker, Johnson, Mayhew,
McCornick, Ryan, Stuart, Smith & Mr Speaker 9
Nays: Bell, Buck, and Faulds 3
There being no objection the title was agreed to.
CB 76 CB No 76, was read the 1st & 2d Times and
referred to a Special Committee consisting
of Faulds, Johnson and Huffaker
CB 91 CB No 91. Was read the 1st & 2d times and referred
to the Committee on Incorporations.
CB 97 CB No 97. Was reported back from the
Committee with Amendments.
On Motion of Mr Mayhew the bill with the
Amendments was recommitted to said
Committee.
CJR 7 The Committee on Joint Resolutions
to whom was referred C.J.R No 7, have had
the same under Consideration, and beg leave
to report the same back and recommend
its passage.
Johnson
Faulds } Committee
Courtright
CB 61 The Cmte on Ways & Means have had CB No 61
under consideration and beg leave to report
the same back and recommend its passage
with the following Amendments. On Section

4 Strike out all of that portion for the
taxation of lands and insert "improve
ments on lands, Town Lots &c." Section 5
line 5 Strike out the word Species

Smith, Ryan, and
Johnson. Comt.

The House then adjourned to 2 O'clock P.M

Afternoon Session

House met pursuant to adjournment
Speaker in the Chair
Roll Called
Absent: Mayhew, Johnson and Ryan.

CB 77 CB No 77 was read the 1st & 2d times and on
suspension of the rules read the 3d time and
passed.
Ayes: Bell, Buck, Conolright, Faulds, Huffaker,
McCormick, Ryan, Stuart, Smith Mr Speaker 9
Nays: None.
There being no objection the title was agreed to.

CB No 64. CB No 64 was read the 1st, 2d times and referred
to a special Comt. Consisting of Huffaker
Conolright and Stuart.
Mr Smith moved a call of the House.
The Speaker ordered the Sgt at arms to bring
in the absentees Mrs. Johnson & Mayhew.
The following Message was received from the
Council.

Council Chamber
January 26th 1868

Mr Speaker:

I am instructed by the Council
to inform the House that action was had
on the following bills.
CB No 38 "An Act establishing a common
School System for the Territory of Montana"
The Council Concurred in all the House amend
ments to said bill except the amendment
Sec 2 line 5 Striking out "one mile" and
inserting "three Miles" and would respectfully

ask the House to recede from said Amendment-
C B No 94, "An act to Incorporate the Marysville
Town Co" Passed January 24th 1865.
H B No 37 "An act authorizing Rob't Beaumont and
Robert Hill to establish and maintain a Toll
road from Bannock City to Beaver Head
Valley" Was rejected January 26th 1865.
H B No 100, "An act to invest religious Societies
with certain powers of bodies Corporate."
Was rejected January 26th 1865.
H B 101, "An act to Create a fund for schools."
Was rejected Jany 26th 1865.

Geo. A. Haynes
Sec of Council

2 J R 7. C J. R No 7, was read the 3d time and passed.
Ayes: Bell, Buck, Courtright, Faulks, Huffaker,
Johnson, Mayhew, McCormick, Ryan, Stuart,
Smith and Mr Speaker. 12
Nays: None.
There being no objection the preamble was agreed to.
C B 73 C B No 43, Was taken up and read with the amend-
=ments made by the Committee. The Amendments
were adopted.

Mr McCormick moved to strike out the
word "Choteau" before the word "County" and insert
"Lewis & Clark" Motion lost.

The bill was then read a 3d time and passed.
Ayes: Bell, Buck, Courtright, Faulks, Huffaker,
Johnson, Mayhew & Mr Speaker 8.
Nays: McCormick Stuart and Smith 3.
There being no objection the title was agreed to.

On Motion of Mr Courtright the
House adjourned.

Thirty Seventh Day.

Friday January 27th 1865.

House met pursuant to adjournment

Speaker in the Chair.

Prayer by the Chaplain.

Roll Called. All Present.

Minutes of yesterday read and approved.

The following Message was received from the Council

Council Chamber

Mr. Speaker January 27th 1865

I am directed by the Council to inform your honorable body that action was made on the following bills

C.B. 15 An Act to incorporate the Historical Society of Montana Ammendments of House to said bill were concured in by the Council Jan. 26th

C.B. 77 An Act to incorporate the Deer Lodge Valley Mining Company. Ammendments of House were concurred in by the Council to said bill Jan 26th 1865

H.B. 7 An Act to incorporate the Nevada City and Red Rock Wagon road Company, passed the Council with ammendments which were received & transmitted

H.B. 84 An Act to incorporate the Ophir Town Company passed the Council Jan 26th

H.B. 92 An Act concerning Jails and Jailors passed the Council with ammendments which are herewith transmitted

H.B. 80 An Act to incorporate the Marias Ferry Company passed the Council Jany 26th 1865

Geo A. Haynes

Sect of Council

C.B. 81 The Committee on Incorporations have examined Bills No 81. 85. and H.B. 97. and Report the same back

C.B. 85 and H.B. 97 and Recomind their passage

Haynes }
McComick } Comte
Buck

37th day

B. 86 The Committee on Incorporations to whom was referred Council Bill No 86 have had the same under Consideration and recommend it pass with the following Amendments Add to Section 7 the following

Provided That Nothing in this Act shall be so construed as to enable the Corporations to Pre-empt more than One Hundred and Sixty (160) Acres of Land in the Territory to each Corporator named in the Bill

Mayhew }
Buck } of Comt

B. 2 The Conference Committee appointed by the Council and House of Representatives to confer upon the location of the Capitol of Montana Territory have agreed upon Virginia City as such point for said Capitol to be located

Stuart Potts }
Ryan Baggs }
Mayhew } of Comtee

B. 44 The Committee on Incorporations to whom was referred Council Bill No 44 beg leave to report the same back to the House and recommend it be indefinitely postponed.

Mayhew
McCormick }
Buck } Comtee

B. 38 Council Bill No 38 having been read with the following amendment made by the House returned from the Council for concurrence in To Wit Striking out the word "One" and inserting the word "three"

On motion of Mr McCormick the House receded from said Amendment

B. 94 Council Bill No 94. having been read the 1st 2. time was on suspension of the rules read a third time and passed.
Ayes. Bell. Buck. Cowtyright Huffaker Mayhew McCormick Ryan Stuart Mr Speaker. 9.
Nays. Fields. Johnson Smith 3.
There being no objection the title was agreed to.

37th day

C.B. 67 Council Bill No 67 was on suspension of the rules &c. a third time & passed

Ayes. Bell. Buck. Courtright Faulds Huffaker Johnson Mayhew McCornick Ryan Stuart Smith Mr Speaker 12. Nays none Three being no objection the bill was agreed to.

C.B. 44 Council Bill No 44 on motion of Mr McCornick indefinately postponed

C.B. 85 Council Bill No 85 was read a third time & passed Ayes. Bell Buck Courtright Faulds. Johnson Mayhew Huffaker McCornick Ryan Stuart Smith Mr Speaker 12 Nays none Three being no objection the bill was agreed

C.B. 86 Council Bill No 86 having been read with amendments reported by the Committee. The amendments were agreed to and the bill read the 3d time and passed Ayes Buck Bell Courtright Faulds Huffaker Johnson Mayhew McCornick Ryan Stuart Smith Mr Speaker 12 Nays none There being no objection the bill was agreed to

The following Message was rec'd from the Governor

Executive Office
Jan 27. 1865

To the Hond Speaker
House of Representatives

Sir

I have this day signed the following

House Bills (Viz)

No 2 An act to incorporate the Virginia City & Gravelly Ford Wagon road Co.

No 44 to establish a water Company in Virginia City

No 50 An act to incorporate the Jefferson Mining Co

No 53 An act to declare the bonds of Estate now existing between Hosmer R Payne and Adilia Payne

Respectfully yours

Sidney Edgerton
Governor

97 House bill to 97 Shawnee Lenroad Croe

Passed

Ayes Bill Buck Leonard Fouts Huffaker Foster

Maghue McCormick

George D. Haynes
Sect of Council

H.B. 104 House bill No 104 having been read with amendments adopted by the Council. The amendments were agreed to and the bill ordered engrossed

H.B. 81 House bill No 81 having been read with the amendments made by the Council The amendments were concurred in and the bill ordered engrossed

H.B 88 House bill No 88 was read with amendments made by the Council On Motion of Mr McCormick the bill and amendments were refered to a Conference Committee Consisting of

Messrs McCormick, Bell & Courtright

H.B. 78 House bill No 78 was read with the Amendments made by the Council

The House refused to Concur in the amendments On motion Mr Bell the bill & amendments were refered to the last named Conference Committe consisting on H.B. No 88.

C.B. 2 On Motion Mr Buck Council Bill No. was taken up

On motion Mr Mayhew recommitted to the Conference Committee the same that reported on it this morning

On Motion Mr Courtright the House adjourned

House of Representatives
Jan 28th 1865

38th Day.
House met. Speaker in the Chair Prayer by Chaplain
Roll Called all present.
Minutes of last meeting read and approved.

The Committe on Enrollment have examined H.B. No 7 and find the same correctly enrolled and have presented the same to the Governor for his approval
Smith Chairman

C.B. 2 The undersigned a majority of the Committe of Conference appointed to take with consideration C.B. No 2 An act locating the seat of Government of Montana Territory and the House amendments thereto. Beg leave to report that they have agreed to the passage of said bill without amendments and that the House of Representatives be requested to recede from the amendments made by said house
A. S Potter
Chas. S. Baggs } from Council
A E. Mayhew
E. Ryan } from the House

C.B. 2 On Motion Mr Buck further time (until Monday morning was given the Minority of said Committe on C.B. No 2 to make their report.

C.B. 94 On Motion of Mr Mayhew the House reconsidered their action of C.B. No 94 by the following vote
Ayes Bill Countright Faulds Huffaker Johnson Mayhew Ryan Smith & Kays Buck McCormick Stuart Speaker 11.
On Motion Mayhew the bill was then referred to a select Committe with all things to send for persons and papers.
Messrs Smith Faulds and Stuart were appointed said Committe

C.B. 68 The Committee of Conference to whom was referred H.B. No 68 have investigated the matter in said bill which

39th day

was so refused & beg leave to report that the Council have receded from its amendments except their Amend to Section 3 and the Committee ~~on amendment~~ recommend that the time for said franchise shall be granted or reduced to the term of eight years

McCormick
Bell & Courtright } for the House
Potter & Levitt } for the Council

On Motion Mr McCormick the report of the Committee was received and the Committee was discharged
The reported amendment was adopted

On Motion of Buck the House adjourned to Monday

House of Representatives
Jan 30th 1865

39th Day
House Met. Speaker in the chair Prayer by the Chaplain
Roll Called Absent Faulds. Johnson
Minutes of last meting read & approved.

C.B. 97 The Committee on Judiciary to whom was refered C.B. 97. have had the same under consideration and beg leave to report the bill back to the house and recommend its passage without amendment.

McCormick
Mayhew
Buck } Comtee

C.B. 82 The Committee on Incorporations to whom was refered Council bill No 82. have had the same under consideration and report the same back to the House and Recommend its passage after Striking out 9th and 10th Section

Mayhew
McCormick
Buck

The following message was received from Council

Council Chamber
Jan 28th 1865

Mr Speaker

I am directed by the Council to inform your Honorable Body that action was had on the following bills viz C.B. 73. An Act defining bounding lines of Lodentiy in Montana Territory amendments of House to said bill were not concurred in by the Council and a committee of three were appointed to confer with a like committee from the House to consider said bill Messrs. Merriman Bagg & Worden were appointed said committee on the part of the Council

H.B. 93. An act to incorporate the Helena ditch Co. passed Jany 27.

H.B. No 25 - An Act authorizing O Sullivan and A. D. Reed to construct and maintain a toll road in Beaver Head County was indefinately postponed Jan 25th 1865

H.B. No 74. An Act to Incorporate the Missouri River Coal Mining Company was passed with amendments which are herewith transmitted

H.B. 91 An Act to Incorporate the Pike Peak Mining Company was passed with amendments which are herewith transmitted

H.B. 102 An Act authorizing certain persons to Solemnize Marriages. A substitute was made for said bill and passed Jan 27th 1865

Geo. A. Haynes
Sec't of Council

Jan 30th 1865 -

The following joint resolution passed the Council Jan 28th

Resolved by the Legislative Council the House concurring, that his Excellency Governor be requested to return C.B. No 25 to the Council

Geo. A. Haynes
Sec't of Council

Council Chamber
Jan 27th 1865

Mr Speaker

The following resolutions passed Jan

39th day
27th 1865

Resolved by the Legislative Council of the Territory of Montana that the House of Representatives be requested to recede from their amendments to C.B. No 2. On ackocating the Capitol of Montana Ter.

Geo A. Haynes
Sec. of Council

C.B. 73. On Motion of Mr Stuart a conference Committee was appointed on the part of the House consisting of Messrs Stuart Courtright Bill to meet a like committee on the part of the Council to consider the Amendments to C.B. No 73

C.B. 64 A. Majority report of the Special Committee on Council Bill No 64. We beg leave to make a majority report in favor in rejecting the Bill.

James Stuart
M. Courtright

The following Message was recd from the Governor

Executive Office
Jan 30th 1865

To the Hon Speaker of the House of Representatives

Sir I have this day signed the Council Bill No 7 Entitled An Act to Incorporate the Nevada City and Red Rock Wagon Road Company

Respectfully Yours
Sidney Edgerton
Governor

Mr Speaker

C.B. 2 The Minority of your committee upon the locality of the Capitol are unable to agree, and as one of that committee beg leave to offer the following joint resolution and also to record in the report of the other minority member of the Joint Committee

Respy
Jas Stuart
Committee of Conference

C.B. 64 Mr Speaker As one of the committee to whom was referred

Council Bill No 4 have had the same under consideration and find that it is a good bill and recomend it back. with out amendment to the consideration of the House with the recomendation it pass

Stuffater
Chairman of Committee

H.R. 2 Mr Speaker

As a member of the Committe of Conference upon the part of the Council upon the bill to locate the Capitol. I beg leave to submit a minority report in the opinion of a minority of the Committee the beautiful valley of the Jefferson near the thriving town of Missoula is the most appropriate place for the location of the Capitol of our rapidly growing Territory This town is central to all the mining Camps now being worked in the Territory at the crossing of two important roads. in the midst of our agricultural section unparalled for fertility of soil and the point named is in the opinion of the Minority of the committe at some future day bound not only to be the political but the commercial Capitol of this Territory All of which is respectfully

Submitted

Thompson of Conf. Comte.
on Council Bill No 2.

C.B. 2 Preamble and joint Resolution upon the location of the Capitol

Whereas great diversity of opinion prevails in the minds of the members of the Legislative Assembly concerning the location of the Capitol therefore Be it resolved by the House of Representatives the Council concurring

That the capitol be and is hereby located at Virginia City Madison County. Provided however that before said location the question shall be submitted to the people's vote of the Territory at the next general election to be holden in September next

at which election this shall be written or printed on each ballot." Shall the Capitol be located at Virginia City and as many as favor that location may vote "yes" and those opposed to such location may vote "no".
And it shall be the duty of the Judges of said election to make a true and correct return of said ~~return~~ vote to the proper Officer. and if it shall appear that a majority of said votes are in favor of said location then this resolution shall be in full force and the Capitol shall be located at Virginia City. but if it shall appear that a majority of said votes are against said location then this resolution shall be of no effect
Provided that nothing in this resolution shall illegalize any vote or ballot cast at said Election which does not contain the words. "Shall the Capitol be located at Virginia City"

The aforesaid Preamble and joint Resolution was laid before the House by Mr Stuart

Mr Mayhew made a motion to table the report of the minority of the Committee on Council bills No 2 and also the Preamble & joint resolution. lost Ayes Bell Buck Huffaker Mayhew 4. Nays. Countright Faulds Johnson McCormick Ryan Stuart Smith Mr Speaker 6.
A motion of McCormick the reports from the Committee of Conference were received and the Committee discharged

A.B. 105 Mr Ryan introduced House Bill No 105
"An Act concerning line fences"
read 1st & 2nd time and referred to Committee on Agriculture

C.B. 2 Mr McCormick moved to take up the Resolution of the Council asking the House to recede from its Amendments to Council Bill No 2. last
Ayes Bell Buck Huffaker Mayhew McCormick Ryan 6
Nays Countright Faulds Johnson Stuart Smith. Mr Speaker

39th Day

The following Resolution from the Council was adopted

H.B. 55 Resolved by the Legislative Assembly the House concurring that his Excellency the Governor be requested to return C/B. No 55 to the Council.

H.B. 68 H.B. 69 The Joint Committee on Enrollment have examined H.B No 68 & 69 and find the same correctly enrolled and have presented the same to the Governor for his Signature.

Smith Chairman

H.B. 97 Council Bill No 97 was read the third time and passed
Ayes Bell Buck Cunningham Faulds Stuffaker Johnson
McCormick Stuart Mr Speaker 9
Nays Mayhew Ryan 2
There being no objection the title was agreed to

H.B. 82 Council Bill No 82 having been read with the amendments reported by the Committe. The amendments striking out Sect. 9 & 10 were agreed to. and the rules being suspended the bill was read a third time and passed
Ayes Bill Buck Cunningham Faulds Stuffaker Mayhew McCormick Ryan Mr Speaker 9. Nays Johnson Stuart 2
There being no objection the bill was agreed to.

H.B. 91 The House refused to concur in the Council amendments to H. B. No 91 and the Clerk was requested to instruct the Council to recede from the same.

The House adjourned to 2 o'clock P. M.

Afternoon Session
Speaker in the Chair

House met
Roll Called absent McCormick Ryan and Smith

Mr Mayhew presented the petition of the Citizens of Gallatin Valley in relation to Ditch Company referred to Select Committee having the Bill relating thereto in charge

H.B. 83 House Bill H. 83 having been called up the House refused to concur in the amendments of the Council.

H.B. 102 Council substitute for House bill No 102 having been called up the House refused to accept it. On motion Mr Johnson the vote was reconsidered and the House adopted the Substitute,

H.B. 106 Mr Buck introduced House Bill No 106 "An Act defining the the Judicial Districts of Montana Territory" read the 1st & time and referred to Committee on Judiciary

C.B. 64 Council Bill No 64 was read the third time and on its final passage was lost
Yeas Mayhew Ryan Smith Mr Speaker 4.
Nays Messrs Buck Cortright Fardo Huffaker Johnson McCormick Stuart 8.

On motion the House adjourned.

House of Representatives
40th Day Jan 31. 1865
House met agreeable to adjournment
Speaker in the Chair Prayer by the Chaplain
Roll Called absent Mr Cormick Ryan.
Minutes of last meeting read and approved

The select committee appointed by the House to act in conjunction with a like Committee of the Council for the purpose of ascertaining the number of Bills and their nature that have passed both Houses of the Legislature and that have been approved by the Governor beg leave to make this report which is herewith respectively submitted.

Mayhew Chairman
of House Comte

40th day

The Select Committee to whom was referred Council Bill No 76 beg leave to report the same back and recommend its passage with the following amendments. Strike all after the word Creek in 6th line in Sect 2. and all before the word "in" same Section and insert the following between No 3 & 4 below the mouth of Dry Gulch
Also add Sect 3. Provided its does not interfere with prior rights

Faulds
Huffaker
Johnson } Comt.

The report was refused back to the Committee

2 Council Bill No 2 being under consideration Mr Mayhew made a motion to recede from House amendments to Council Bill No 2. Carried-
The report now being called resulted as follows.
Ayes Bell Buck Huffaker Mayhew McConnell Ryan Mr Speaker. 7
Nays Courtright Faulds Johnson Stuart Smith 5

The following message was received from the Council

Council Chamber
Jan 21st 65.

Mr Speaker

I am directed by the Council to inform your Hon. Body that action was had on the following Bills

H. B. 6

An Act to Incorporate the North Hill Creek Creek Ditch Company was passed with the following amendment. After sect 2 add proviso as follows Provided that at all times there shall be left a sufficient amount of water in said Hill Creek for the reasonable use of the occupants upon said stream below the point where the water is taken out

H. B. No 65

An Act to Incorporate the East

40th day

Ophir Town Company was passed with the following Amendments

Sec. 1 Add to the list of Corporators the names of Geo A Haynes John Ryan & Thos D Hosford

Also after Section 3 Add Section 4. Nothing in this Act shall be so construed as to allow said Company to preempt more land than they are entitled to by the undivided rights of each person belonging to said Company when Incorporated according to the preemption laws of the United States and the laws of the Territory declaratory of the rights of the occupants of the Public Domain.

The following resolution also passed Jan 30. 1865.

Resolved

By the Council & House of Representatives that the joint Resolution of the Council & House of Representatives relating to the introduction of Private bills and the same is hereby repealed

Geo. A. Haynes
Sect. of Council

The House adjourned to 2 o'clock P. M.

Afternoon session

House met Speaker in the Chair Roll Called Absent Mr McCormick Excused

H. B. 85 House Bill No 85 was read with the amendments made by the Council & the amendments agreed to & the bill ordered engrossed

H. B. 61 House bill No 61 was considered with the amendments made by the Council. The amendments were adopted and the Bill ordered engrossed.

The resolution of the Council receding from the Joint Resolutions of both Houses in relation to the introduction of Private bills was on Motion of Mr Hayhurst laid on the Table.

The House adjourned

House of Representatives
41st day Feb 14th 1865

House met agreable to adjournment Speaker in the Chair
Prayer By the Chaplain Roll Called absent Faulds
Ryan Smith
Minutes of last meeting read & approved

Mr McCormick presented the petition of Citizens of Montana Territory in relation to Quartz Lode Law. referred to Comt. on Mines & Minerals

On motion of Mr McCormick the House took up the Council Resolution. laid on the table yesterday in relation to Private bills
The House adopted the resolution.

107 Mr Ryan Introduced House bill No 107 An Act to Incorporate the Sonia Gold & Silver Mining Co read 1st & 2d time & referred to the Comt. on Incorporations

The following message was received from Governor

Executive Office
Feb 14th 1865

To the Hon. Speaker of
the House of Representatives

Sir I have the honor to
House bill No 60 an Act to Incorporate the Ramshorn
Toll Road Company - also
House bill No 69 Entitled an act concerning Marks
and Brands

Respectfully Yours
Sidney Edgerton
Governor

The Committee on Incorporations to whom was referred
House Bill No 90 have had the same under consideration
and beg leave to report the same back to the House
for such action as they may see fit to take upon it

A. E. Mayhew
W. J. McCormick
J. N. Buck } Comt.

21st day

Council Chamber
Mr Speaker February 1st 1865

I am directed by the Council to inform your Hon. Body that action was had on the following Bills viz:

C.B. No 80 An Act concerning divorce and Alimony passed the Council Jan 31st

H.B. 39 An Act to Incorporate the Banner Head Ditch Company was passed with amendments which are herewith transmitted

H.B. 75 An Act to Incorporate & establish the Idaho and Montana wagon road Company passed with amendments which are herewith transmitted

H.B. 86. An Act to Incorporate the town of Rocky Bar was passed by the Council Jan 31st 1865

Geo. A. Hanna
Sec. of Council

H.B. 90 On motion of Mr Ryan House Bill No 90 was laid on the Table

H.B. 89 House Bill No 89 having been read with the amendments made by the Council

The House agreed to concur in the amendments

H.B. 75 House Bill No 75 having been read with amendments made by the Council the amendments were agreed to and the bill ordered engrossed

C.B. 100 Council Bill No 100 having been read the first second time was referred to Comt. on Judiciary

The House adjourned to 2 o'clock P.M

Afternoon Session

House met Speaker in the Chair
Roll Called absent Smith Johnson McCornick Stuart

The following report of Committee was received

41st day
Feb 9th Gregor

The following members of the Joint Cont of Conference on Cl. No 43. An Act defining the boundary lines of Counties in the Territory. beg leave to report as follows to wit "Add to Section 6" And the county seat of Madison is hereby located at Virginia City." Also strike out in last line of section 6 the word Edgerton and insert the word "Silver". And leave the balance of section 6 as in the original bill without the amendments proposed by the House. Also add the following to Section 10 "That the people of the several Counties in this Territory at the first General election to be held in the Territory may by vote locate the County Seat of their respective Counties. Also add the following Sect 11 This act to take place and be in force from and after its passage.
And ask that it may pass.

Merriman }
Bagg } Council Cont.
Hinds }
Stuart }
Bill } House Cont.
Countryman }

On motion of Mr Stuart the report was received and the Cont. discharged and the House adopted the report.

H.B. 108 Mr Buck introduced House Bill No 108
An Act to Incorporate the Ottawa Mining Company
read the 1st & 2 time and referred to Cont. on Incorporations

H.B. 109 Mr Bell introduced House Bill No 109. An Act to Incorporate the Ophir Manufacturing and Tunneling Company read the 1st & 2 time and referred to Cont. on Incorporations

H.B. 110 Mr McCormick introduced House Bill No 110 An Act to Incorporate the Madison County Mining Company read the first and second time.

41st Day

And on suspension of the rules read the third time & passed
Ayes. Bill Buck Courtright Huffaker Mayhew
McCormick Ryan Stuart Smith & Speaker 10
Nays none
Then being no objection the title was agreed to

H. B. 111 Mr Buck Introduced House Bill No 111
An Act concerning the Foreclosure of Mortgages
read the first & second time and on suspension of the rules read the third time and passed.
Ayes
Bill Buck Huffaker Mayhew McCormick Ryan
Stuart Smith Courtright 9
Nays Mr Speaker 1
Then being no objection the title was agreed to.

Mr Mayhew introduced the Petition of Margaret J Wright asking to be divorced from Henry C Wright
read. And referred to the Judiciary Committee

The Joint Committee on Enrollment
have examined
House Bills No. 62. 70. 77. 79. 81. 82. 84. 92. 93
and 104 and find the same correctly enrolled and
have presented the same to the Governor for his
approval

Smith }
Stuart } Committee

On motion of Mr Courtright the House adjourned
to 10 o'clock tomorrow morning.

House of Representatives
February 2d 1865

42nd Day
House met agreable to adjournment Prayer by Chaplain
Roll called absent Bill
Minutes of last meting read & approved

H.B.107 The Committee on Incorporations have had House Bills
H.B.108 No 107 & 108 under consideration and beg leave to
report the same back and recommend their passage

A. E. Mayhew
H. D. McCormick
D. N. Buck

H.B.112 House Bill No 112 was introduced by Mr Mayhew
An Act concerning fugotives from Justice read the
first & second time and on suspension of the rules read a
third and passed
Ayes Bill Buck Countright Faulds Huffaker Mayhew
McCormick Ryan Stuart Smith and Mr Speaker. 11
Nays none
There being no objection the title was agreed to

H.B.113 Mr Mayhew introduced House bill No 113. An Act
for the confirmation of Walter N Dacy in services
rendered the Territory.
read the first & second time and on suspension of the
rules read the third time & passed
Ayes. Bill Buck Countright Huffaker Faulds Johnson
Mayhew McCormick Ryan Stuart Smith & Mr Speaker
12 Nays none There being no objection the title was
agreed to.

H.B.114 Mr Stuart introduced H.B 114. An Act to
Incorporate the Silver Bow Ditch Co. read the first
and second time and on suspension of the rules read the
the third time & Passed Ayes Bill Buck Countright
Huffaker Faulds Johnson Mayhew McCormick Ryan
Stuart Smith Mr Speaker 12. Nays none
There being no objection the title was agreed to

42nd day

H.B. 83 HB 91 On Motion Mayhew a committee of Conference was appointed to confer on the part of the House with a like Committee on the part of the Council to consider the amendments to House Bills Nos. 83 & 91 Messrs Mayhew Huffaker Hourtright were appointed said Committee

C.B. 74 On motion of Mayhew C.B. No 74 was made the special order for tomorrow at 2 o'clock P.M.

C.B. 31 On Motion of Mayhew C.B No 31 was made the special order for this afternoon at 2 o'clock in Committee of the whole

C.B. 62 Council Bill No 62 was read the 1st & 2 time and on suspension of the rules read the third time and passed Ayes Buck Faulds Huffaker Johnson Mayhew McCormick Ryan Stuart Smith Mr Speaker 10 Nays Bill Hourtright 2 There being no objection the title was agreed to.

C.J.R. 8 Council Joint Resolution No 7. Relating to the codification of the laws read the first and second time and passed Ayes Bill Courtright Faulds Huffaker Johnson Mayhew Ryan Stuart Mr Speaker Nays Buck McCormick Smith 3. There being no objection the title was agreed to.

C.B. 108 Council Bill No 108 was read the first time & second time and on suspension of the rules.
On motion of Mr Courtright the name of Ackerman was added to the number of Incorporators & trustees adopted.
The Bill was read the third time and passed. Ayes Bill Buck Courtright Faulds Huffaker Johnson Mayhew McCormick Ryan Stuart Smith Mr Speaker 12 Nays None.
There being no objection the title was agreed to.

42nd day

C B 107 Council Bill No 107 was read the 1st and 2nd time and on Suspension of the Rules was read a third time and Passed,

Ayes Bell Buck Courtright Faulds Huffaker Johnson Mayhew McCormack Ryan Stuart Smith Mr Speaker Nays Nine

There being no objection to the title it was agreed to,

C B 90 Council Bill No 90 was read the first and Second time and referred to Committee on Incorporations

C B 106 Council Bill No 106 was read the first and Second time and on Motion of Mr Buck the Bill was returned to the Council for Engrossment

C B 101 Council Bill No 101 was read the first and Second time and referred to Committee on Judiciary

H B 108 House Bill No 108 having been read the third time Passed.

Ayes Bell Buck Courtright Faulds Huffaker Johnson McCormack Ryan Stuart Mr Speaker 10 Nays Mayhew Smith 2,

H B 107 " House Bill No 107 was on Suspension of the Rules read the third time and Passed

Ayes Bell Buck Faulds Huffaker McCormack Ryan Mr Speaker 7

Nays Courtright Mayhew Stuart Smith 4

There being no objection the title was agreed to.

H B 106 House Bill No 106 was sent with the Amendments 42nd day

The Amendments were adopted and the Bill ordered Engrossed,

H B 89 House Bill No 89 was sent with the Amendments made by the Council; the Amendments were adopted

and the Bill ordered Engrossed,

H.B. 106. The Judiciary Committee to whom was referred H.B. 106 beg leave to report the same back to the House with the following amendments.

Strike out Sect 8 and insert the following

The terms of the third Judicial District shall be held at the County Seats as follows in the County of Edgerton on the 1st Monday in June and on the 1st Monday in November and the Counties of Big Horn Hawdon and Choteau are hereby attached to Edgerton for Judicial purposes.

A C Mayhew
H L McCormack
J K Rickards

The amendments were agreed to the Rules suspended the Bill was read the 3rd time & passed.

Ayes Bell Buck Conkright, Fenlon Hefferlen Johnson Mayhew McCormack Ryan Smith Mr Speaker 10 Nays Nine

There being no objection the Bill was agreed to

The House adjourned to 2 O'Clock P M.

Afternoon Session

House met Speaker in the Chair

Roll called. Absent Johnson Ryan Smith

H.B. 115 House Bill No 115 was introduced by Mr McCormack an act to provide Compensation for Mary Burns in preparing Civil & Criminal Code for Montana Territory read the first & second time and referred to Committee on ways & means

The following Message was received from the Council

Council Chamber

February 2nd 1865

Mr Speaker

I am directed by the Council to

4 2nd day

inform Your Excellency & Honorable Body That Action was had on the following Bills viz.

C.B. No 10, An Act to Incorporate the Upper Missouri River Steam Boat Navigation Co. Passed Feby 2nd 1865

C.B. No 12, An Act to Incorporate the City of Nevada Passed Feby 1st

The Council Acceded from their Amendment to H.B. No 59 this day.

Lyc. A. Haynes,
Sect of Council

C.B. 93 Council Bill No 93 was Read the first and second time and referred to Com. on Incorporations

The House then went into Committee of the whole on Council Bill No 31,

Mr. Mayhew in the Chair

When the Committee arose the Speaker took the Chair

The following Message was received from the Council,

Council Chamber
Mr Speaker Feby 2nd 1865

I am directed by the Council to inform your Honorable body that Action was had on the following Bills viz.

C.B. No 62 An Act to provide for the Compensation of P.B. Burdett for Services rendered the Territory Passed Feby 1

C.B. No 74, An Act to increase the Number of Members in the Council and House of Representatives and to apportion the Territory of Montana into Council and Representative Districts Passed Feby 1st 1865

C.B. No 82, An Act Incorporating the Bannack

42nd Day

Gold Hill Silver Mining Co praying the Amendments of the House be concurred in by the Council &c

C.B. No 31, An Act relating to Coroners & County Officers Passed Feby 1st

C.B. No 106 An Act to Incorporate the Sterling Water Ditch Co, Passed Feby 1st

C.B. No 107, An Act Incorporating the Silver Flow Town Company Passed Feb. 1st

C.B. No 90, An Act to Incorporate the Winters Quicksilver Passed Feby 1st.

C.B. No 101, An Act to Provide for Stay of proceedure on foreign Indebtedness Passed Jany 31st

C.B. No 108, An Act to change the name of the Town of Mumford City to Pioche Co. and to Incorporate the same Passed Feby 1st.

C.J.R. No 8 Relating to the Codification of Laws Passed Feby 1st.

The Council refuses to recede from their Amendments to House Bills Nos 9 and 43 & appointed Messrs Thompson and Patten a Committee on part of Council and moved respectfully request that a like Committee of same number be appointed on the part of the House to confer in relation to said Bills

H.B. No 66, An Act Creating Counties passed with Amendments which are hereunto transmitted. —

H.B. No 89 An Act to Incorporate the Virginia City and Carson Creek Ingan Road Co, Passed with Amendments which are hereunto transmitted,

H.B. No 99, An Act to Incorporate the Ophir Mining Co, Passed Feby 1st

Notice of a Bill to Incorporate the Madison Coal Company was received Feby 1st

Geo Ackerman Secty of Council

The House adjourned until tomorrow

House of Representatives

43rd day Feby 3rd 1865

House met agreeable to adjournment. —
Speaker in the Chair — Prayer by the Chaplain
Roll Called All present
Minutes of last meeting read & approved,

C.B. 93 The Committee on Engrossments to whom was referred C.B. No 93 have had the same under Consideration and report it back with the following Amendment and recommend its Passage Strike out the name of Samuel Alexander, James A Malone and Albert Young and insert instead thereof the names of G. J. Ford, I Wells and Edward Williams Strike out of Sect 3 Line 3 the word six and insert Ten,

A C Mayhew
McCormack
Buck — Comtee

H.B. 78 The Conference Committee to whom was referred House Bill No 78 beg leave to report the same back and recommend the House adopt the Amendments made by the Council

J. J. McCormack Chairman

On motion of Mr Buck the Report of the Comtee was received and the Comt discharged.

The House then adopted the Amendments made by the Council, —

H.B. 106 The Committee on Engrossments have examined H.B. No 106 and report the same correctly Engrossed

P Ryan Chairman

C.B. 100 The Committee on Judiciary to whom was referred C.B. No 100 have had the same under consideration and beg leave to report the same back to the House and recommend that it pass.

Wm L McCormack
Mayhew
Buck — Comtee

43rd day

H.B. 116 House Bill No. 116 was introduced by Mr. McCormack, "An Act to dissolve the Bonds of Matrimony between Henry C. Wright and Margaret Wright" read the first & second time and referred to a Special Committee consisting of Huffaker, Cartwright and McCormack.

H.B. 117 Mr. McCormack introduced House Bill No. 117 "An Act Supplementary to an Act entitled An Act to provide increased Compensation to Officers of this Territory"
Read the first and second time and on suspension of the rules read a third time and passed.
Ayes Bell Buck Cartwright Faulds Huffaker Johnson McCormack Mayhew Ryan Shaw Smith Mr Speaker 12, Nays 0

There being no objection the title was agreed to.

H.B. 49 The Joint Committee on Enrolled Bills have examined House Bill No. 49 and the Committee have sent the to the Governor for his signature.
Smith Chairman

C.B. 105 Council Bill No 105 having been read the first & second time was on suspension of the Rules read the third time and passed. —
Ayes Bell Buck Faulds Huffaker Johnson McCormack Mayhew Ryan Shaw Smith Mr Speaker 11 Nays None
There being no objection the title was agreed to.

C.B. 112 Council Bill No 112. The Rules having been suspended read the first & second time by title, On motion of Mr Mayhew Sec 3 Article 1. was ordered stricken out of the Bill. —
The Rules being again suspended the Bill was read a third time by title and passed
Ayes Bell Buck Cartwright Faulds Huffaker Johnson Mayhew McCormack Ryan Shaw Smith

43rd day

Mr Speaker I. Ivay Give Birth I

there being no objection the title was agreed to,

C.B. 113 Connell Bill No 113 having been read the third first and second time was on suspension of the Rules read a third time and Passed,

Ayes Bell Buck Conwright Francis Huffaker Johnson Kingsbury Lee Spencer 8, Nays McComack Ryan Ault Stuart 3,

There being no objection the title was agreed to,

C.B. 106 Connell Bill No 106 having been read the first and second time was on suspension of the Rules read the third time and passed,

Ayes Bell Buck Conwright Francis Huffaker Johnson Kingsbury Lee McComack Stuart Smith Mr Speaker Ryan 12, Nays Give

There being no objection the title was agreed to

C.B. 102 Connell Bill No 102 was read the first & second time and Suspension of the Rules read the third time and Passed,

Ayes Bell Buck Francis Huffaker Johnson McComack Mayfield Ryan Smith Mr Speaker 10, Nays Conwright 2nd Stuart 2,

There being no objection the title was agreed to

C.B. 102 Connell Bill No 102 having been read the first & second time was referred to Committee on Incorporations

H.B. 86 On motion of Mr Stuart the House requested the Committee on Incorporations to return House Bill No 86 to the House, The Committee returned the Bill

C.B. 113 Connell Bill No 113 was read the first and second time and on suspension of the Rules read the third time and Passed,

Ayes Bell Buck Conwright Francis Huffaker

3rd Day

Mr Mackenzie Mr Macdonald Mr Jas. Stuart
Mr Mills Mr Fleming 12. Days Leave
Hon. Secy &c. Objection the Title was agreed to.

C.B.104 Council Bill No 104 entitled the first and second time and Suspension of the Rules for the third time and passed,

Hon Mr Chamberlain, Messrs Johnson McConnell Mayhew Ryan Stuart Smith Mr Speaker 10 Nays, Mr Mills 2.

Hon Secy. Objection the Title was agreed to.

C.B.105 Council Bill No 105 entitled the first and second time and Suspension did not be necessary.

C.B.106 Council Bill No 106 entitled the first and second time and Suspension did not be necessary.

Hon Mr Chamberlain Messrs Johnson McConnell Mayhew Ryan Smith Mr Speaker Messrs Mills 12. Days Nine

Hon Secy. Objection the Title was agreed to.

The following Message was received from the Council

Council Chamber
Mr Speaker Feby 2 1865.

Am directed by the Council to inform your Honorable Body that Action was taken on the following Bills,

C.B. No 102, Entitled an Act to prevent the Norwegian Greek Vessels Cargo passed Feby 2.

Council Bill No 98 having been read the 3rd time passed.

Hon Mr Chamberlain Messrs Johnson McConnell Mayhew Ryan Smith Mr Speaker Messrs Mills 12. Days Nine

Hon Secy. Objection the Title was agreed to.

C.B. 86 Entitled an Act to amend the Act respecting Insolvent Debtors

43rd day

C 59 No 103. An Act to Incorporate the Prairie Bear Gold and Silver Mining Co, passed Feb 2

C 60 No 104. An Act Incorporating the Eminence Gold and Silver Mining Company of Montana passed Feby 2nd

C 61 No 113. An Act to Incorporate the Helena Lyceum Reading Room Co, passed Feby 2nd

C 62 No 116. An Act to Authorize the Sheriff of Missoula to Collect Certain Mining Claims passed Feby 2nd

H 63 No 103. An Act for the Improvement of Water Ditches passed Feby 2nd

The Council refuses to Recede from Amendments to House Bills No 8 and 91.

C 64 No 106 is returned to the House properly Engrossed.

Geo. A. Hepner
Asst. of Council

Mr Speaker

Chas. Clark
Feby 3rd 1864

I am directed by the Council to inform your Honorable Body that the following Resolution was passed by the Council this day Viz.

Resolved that a Joint Committee of Conference from the Council and two from the House of Representatives be appointed to ascertain the Sum due each Officer, Member, Clerk and Attache of both Houses entitled to, for Services or Mileage under the provisions of the Organic Act and also under the Act providing for increased Compensation of Officers in this Territory from and after the same to both Houses, Mr Thompson has appointed the part of Council

Geo. A. Hepner
Asst of Council

4th day

C.B. 93 Senate Bill No 93 having been read with the Amendments made by the Senate the Amendments were agreed to, and the Bill read a third time and passed.

Ayes Bell, Buck, Cruthright, Faulds, Hufford, Johnson, McDonald, Mayhew, Ryan, Stuart, Smith, Mr Speaker. 12. Noes None

There being no objection the title was agreed to.

H.B. 91 House Bill No 91 was read with the
H.B. 93 Amendments made by the Senate. The Amendments were agreed to and the Bills ordered engrossed.

H.B. 115 House Bill No 115 was reported back from the Committee of Whole and Ordered Engrossed.

C.B. 90 Senate Bill No 90 was reported back from the Select Committee with the following Amendments and Recommended to Passage.

The Amendments were agreed to and the Bill as Amended was read a third time & passed

Ayes Bell, Buck, Cruthright, Faulds, Hufford, Johnson, Mayhew, McDonald, Stuart, Smith, Mr Speaker. 11. Noes Ryan 1.

There being no objection the title was agreed to

H.B. 115 House Bill No 115 was read the third time and being put to its final passage it was lost.

Ayes Hufford, McDonald, Mayhew, Ryan, Stuart, Mr Speaker 6.

Noes Bell, Buck, Cruthright, Faulds, Johnson, Smith 6.

The House adjourned to 2 o'clock P.M.

3rd day — Afternoon Session
House met — Speaker in the Chair
Roll Called — Absent Constright Johnson Mayhew
Mc Connaughy Regan

C.B. 91 — On motion of Mr Bach the Consideration of Council Bill No 91 was postponed until tomorrow morning

The following Message was received from the Council

Council Chamber
Mr Speaker — Feby 3rd 1865.

I am directed by the Council to inform your Honorable Body that the following Bill &c

C.B No 122, An Act supplemental to an Act to provide for the Expenses of Montana Session, has passed this day

Geo A Simmons
Secd of Council

The Joint Committee on Enrollment have examined House Bills Nos 9, 86, 97 and 102 and find the same correctly enrolled and have presented them to the Governor for his approval.

Mayhew
Johnson — Conter

On motion of Mr Bell a Committee of two was appointed on the part of the House to confer with a Committee appointed on the part of the Council in relation to the sums due the officers members Clerks and attaches of both Houses

Messrs Bell and Constright were appointed said Committee

C.B. 31 — The House went into Committee of the whole on Council Bill No 31.

Mr Tuck in the Chair

When the Committee arose the Speaker took the Chair and the Chairman of the Committee of the whole made the following report

43rd day

Mr Speaker

The House in Committee of the whole on C.B. No 31, reported it back with the following Amendments.

Strike out of line 8. Sect 1 Article 4 the words Twenty and insert Fifty.

Also same Article Section 4 Line Sixteen out Also in Sect 1 Article 9. the Seat of Justice & insert instead thereof County Seat.

In Article 1 Sect 10 line 15 the word Jefferson be inserted.

M. Brick Chairman

The Report was received and adopted & the Bill read a third time and passed.

Ayes Bell Buck Cavanaugh Jones Kuykendall McCormick Regan Stout Smith Mr Speaker 10

Nays Johnson 1.

There being no objection the title was agreed to.

The following Message was received from the Governor

Executive Office
Feby 2nd 1865

To the Honorable Speaker & Members of the House of Representatives

Fellow Citizens

I signed the following House Bills viz

H.B. No 63. An Act to prevent Officers from dealing in Certain Securities

" " 90. An Act to incorporate the Fort Benton & Kearney Virginia Road Co.

S.B. No 77 An Act to incorporate the Iron Manufacturing Co.

" " 79 An Act to incorporate the Gallatin Town Co.

" " 81. An Act to incorporate the Bannock Virginia Road Company.

" " 82 An Act to incorporate the Stones Ferry Co

" " 84 An Act to Incorporate the Helena Town Co

" " 92 An Act concerning Sale of Pilots

" " 93 An Act to incorporate the Big Hole River Bridge Co

" " 104 An Act in relation to Stock Yards

Respectfully Yours. Sidney Edgerton Governor

43rd day

H.B.116 Mr. Bell introduced House Bill No 116
"An Act relating to Fraud"
Read the First and Second time and referred to the Committee on Judiciary

On motion of Mr. Courtright
House Bills Nos 71. 72 and
73 were taken from the table

H.B.71 House Bill No 71 having been taken from the table was read the third time and passed.
Ayes Courtright Huffaker Johnson McConnell Grant Smith 6
Nays Bell Buck Daniels Ryan Mr Speaker 5
There being no objection the title was agreed to

H.B.72 House Bill No 73 was read the third time and put on its final passage.
and lost
Ayes Courtright Johnson McConnell Grant Smith 5
Nays Bell Buck Daniels Huffaker Ryan Mr Speaker 6

The Committee to whom was referred
H.B. No 116 have had the same under consideration and beg leave to report the same back to the House with the evidence thereunto attached and recommend it pass
Huffaker
McConnell

The House adjourned to tomorrow

House of Representatives

Feby 4th 1865

4th day

Unanimous consent necessary to adjournment

Speaker in the Chair, Prayer by the Chaplain

Roll Called. Absent, Messrs Stuart Smith

Minutes of last Meeting read & approved

Mr Conkling gave notice he would move to reconsider the vote on Penal Bills No 31,

The Com on Enrolment reported back the following Bills

H.B. 244 of Bill No 244 Printed & all but the enacting Clause and substitute the following & recommend its passage

H.B. 98 H.B. No 98 was reported back and its passage recommended

On motion

The Committee on Elections to whom was referred the Abstract of Votes given in the different Counties at the late Election made the following report

They have examined said Abstract and believe it to be a true Abstract of the Vote then taken and request that it be placed on the files of the House

Nott
Conkling & Com
Mayham

S.B. 101 The Committee on Judiciary to whom was referred S.B. No 101 have had the same under consideration and are ready to report the same back & recommend its passage,

McCormick
Mayham & Com
Buck

S.B. 40 The Committee on Town Counties to whom was referred S.B. No 40 have had the same under consideration and are ready to report the same back to the House & recommend its passage.

Mayham
Smith & Com
Bell

4th day

The following Message was received from the Council

Council Chamber

Mr Speaker Feby 4 1865.

I am directed by the Council to inform your Honorable Body that the following Bills passed the Council Feby 3 1865

C.B. No 119. An Act to Incorporate the Boulder Town Company

C.B. No 120 An Act to Incorporate the Phoenix Gold & Silver Mining Company

C.B. No 121. An Act to Incorporate the Malden Gold & Silver Mining Co.

C.B. No 109 An Act to Incorporate the Lorica Gold & Silver Mining Company

Geo. A. Haynes
Clerk of Council

Executive Office
To the Honble Speaker Feby 4 1865
of the House of Representatives

Sir I have this day approved House Bill No 49 entitled an Act in relation to Executors and Administrators

Sidney Edgerton - Governor

C.B. 114 House Bill No 114 was read by the Amendments made by the Council

The House refused to Concur in the Amendments

Mr Brotz made a Motion to Reconsider a Portion by which the Amendments to C.B. 114 were not Concurred in, Lost

C.B. 108 House Bill No 108 was read with the Amendments made by the Council

The House refused to Concur in the Amendments

Mr Mayhew

Made a Motion to Reconsider the Vote refusing to Concur in Council Amendments Lost

4th May

Minutes not agreed to by adjournment
Speaker in the Chair. Prayers by the Chaplain
Roll called. Absent - Johnson Stuart Smith
Minutes of last Meeting read & approved

Mr Courtright gave Notice he would move to
Reconsider the Vote on Council Bill No 31

The Committee on Incorporations reported
back the following Bills.

H.B. 24 & Bill No 24 Struck out all but the Enacting Clause
and substitute the following Recommend its Passage
H.B. 98 & H.B. No 98 Has reported back & its Passage recommended

On Speaker

The Committee on Elections to whom was
Referred the Abstract of Votes

H.B. 112 House Bill No 112 was read with the Amendments
made by the Council - The Amendments were
Concurred in & the Bill ordered Engrossed.

C.B. 31 On Motion of Mr Mayhew the Vote Reconsidered
the Vote Passing C.B. 31 Mr Buck moved to strike
out all after line 16 Sect 10 after 1865 & all of line
17 to the words in the Treasury & insert in all
Organized Counties. Amendment agreed,
The Bill was then passed.

Ayes Bell Buck, Courtright Fields Huffaker
Johnson Mayhew McCormick Ryan Stuart Sweet &
Mr Speaker 12 Nays Nine.

There being no Objection the Title was agreed to.

H.B. 118. Mr Buck introduced House Bill No 118
An Act to Incorporate the Pacific Mining Co
read the first & second time and on Suspension of the
Rules read a third time and passed.

Ayes Buck Courtright Fields Huffaker Johnson

44th day

Mayhew Ryan Stuart Smith Mr Speaker 12 Nays Rice McCormick 1

There being no objection the title was agreed to.

C.B. 40 Council Bill No 40 having been read the 3rd time passed

Ayes Bell, Buck, Courtright, Fowler, Huffaker, Johnson, Mayhew, McCormick, Ryan, Stuart, Smith, Mr Speaker 12 Nays nine

There being no objection the title was agreed to

C.B. 101 Council Bill No 101 having been read the 3rd time passed

Ayes Bell Buck, Courtright, Fowler, Huffaker, Johnson, Mayhew, McCormick, Ryan, Stuart, Smith, Mr Speaker 12 Nays nine.

There being no objection the title was agreed to

H.B. 98 House Bill No 98 was read the 3rd time passed.

Ayes Bell, Buck, Courtright, Fowler, Huffaker, Johnson, Mayhew, McCormick, Ryan, Stuart, Mr Speaker 11 Nays 9

There being no objection the title was agreed to,

H.B. 24 House Bill No 24 was read the third time and on motion of Mr Stuart, The name of H.F. Fowler was stricken from the Bill.

The Bill was then passed,

Ayes Bell, Buck, Courtright, Fowler, Huffaker, Mayhew, McCormick, Ryan, Stuart, Mr Speaker 10 Nays nine

The title was agreed upon,

C.B. 102 Council Bill No 102 was read with the Amendments by the Committee, the Amendments were adopted and the Bill passed the third time and on motion recommitted the same to a Special Committee Consisting of Messrs Courtright, Huffaker and Johnson

H.B. 4

C.B. 115 Mr Bell moved to reconsider the vote taken on H.B. No 115 carried.

The Bill was then put on its final passage & passed

Ayes Bell, Courtright, Huffaker, Mayhew

21st day

Mr Cormack Stuart Mr Speaker J. Mays Buck
Faulds Smith 3

There being no objection the title was agreed to

6/3/94 Comml Bill No 94 was taken up & read the 2nd time
Mr Buck moved to amend said Bill pending
said motion the House adjourned.

Afternoon Session
Speaker in the Chair

House met
Roll called Absent Bell

6/3/94 Comml Bill No 94 being under Consideration the following amendments were adopted, —

Ayes Buck Courtright Faulds Johnson Stuart
Smith Mr Speaker 7. Nays Bell Huffaker
Mayhew McCormack Egan 5

These being a motion made by McCormack to indefinitely postpone it was lost.

Ayes Huffaker Mayhew McCormack Egan 4
Nays Bell Buck Courtright, Faulds Johnson
Stuart Smith Mr Speaker 8

The Bill was then put on its final passage & passed
Ayes Buck Courtright Faulds Johnson Stuart
Smith Mr Speaker 7.
Nays Bell Huffaker Mayhew McCormack Egan 5

Mr Mayhew moved to change the title so as to
read "Grand Swindle"

Ayes Bell Huffaker Mayhew McCormack Egan
5, Nays Buck Courtright Faulds, Johnson Stuart
Smith Mr Speaker 7

The title was then agreed to, —

The Committee on Enrollment have examined H B
No 61, 85, 113, 106 & 78 & find them correctly enrolled

J P Egan Chairman

The Joint Com on Enrollment have presented the
following Bills to the Governor for his approval H B No 61
78, 85, 106 and 113, —

Smith Chairman

44th day

C.B. 117 Council Bill No. 117 was read the first and 2nd time
Mr Courtright made a Motion to insert the name of
J O'Healy as one of the Directors agreed to.
The Bill was then read the 3rd time & Passed Ayes Bell
Buck Mr Speaker 10 Nays Huffaker McCormick 2
There being no objection the title was agreed to.

Council Chamber
Mr Speaker Feby 4 1865

I am directed by the Council to inform
your Honorable Body that Action was had on the following
Bills viz C.B. No 103 An Act to Incorporate the Upton & Flat
Head River Wagon Road Co. Passed Feby 4
H.B. No 108, An Act to Incorporate the Weaver Mining Co
Passed with the Amendment Strike out the words "the
Fee Simple" Sect 1 Line 15 & insert in accordance with the
Laws of this Territory.
H.B. No 112, An Act Concerning Fugitives from Justice passed
with this Amendment Sect 2 Line 6 after the word
"Abscond" insert the word "or Secrete"
H.B. No 114 An Act to Incorporate the Silver Bow Water
Co. Passed with this Amendment Sect 2 between the
word "region" Line 11 & the word "And" Same line insert
the following "But One Sluice head of water shall be
reserved for the use of the Miners On Silver Bow Creek
should they desire it.

George A Hayes
Sect of Council

H.B. 116 House Bill No 116 was read the third time & on its passage
lost. Mr McConnell moved to reconsider the vote lost
Mr McConnell again moved to reconsider the vote
by which House Bill No 116 was lost Carried.
The Bill again put on its final passage & passed
Ayes Courtright Huffaker Johnson Mayhew McLean
Stuart Smith 7, Nays Bell Buck Toledo, Ryan Mr Speaker
5 There being no objection the title was agreed to
H.B. 73 House Bill No 73 was taken up read the 3rd time & passed
Ayes Buck Courtright Fadda Huffaker Johnson Mayhew
McConnell Ryan Smith 9 Nays Bell Stuart Mr Speaker 3

44th Day

There being no objection the bills were agreed to

H B 92 House Bill No 92 was read the 3rd time & passed

Ayes Buck Contraight Travers Huffaker Johnson Mayhew McConnack Regan Smith & Mr Speaker Bell Stuart 11 Nays 3, There being no objection the title was agreed to.

The House then adjourned,

House of Representatives

Feby 6th 1865

House met agreeably to adjournment

Speaker in the Chair. Prayer by the Chaplain,

Roll called. Absent Regan Smith

Minutes of last Meeting read & approved.

The Special Comt to whom was referred C.B. 76 & C.B. No 94 were requested to report at 2 o'clock P.M.

H B 119 Mr Travers introduced House Bill No 119

An Act to Incorporate the Grasshopper Gravel Ditch Co. read the 1st & 2nd time & on susp. of the rules read a 3rd time and passed.

Ayes Bell Buck Contraight, Travers Huffaker Johnson Mayhew Stuart, Smith Speaker 11 Nays 9.

The title was then Amended as follows read

The Montana Gravel Hill Gold & Silver Mining Co.

H B 120 Mr Smith introduced H B 120. "An Act to Incorporate the Eclectic Gold & Silver Mining Co." read the 1st & 2nd time and on suspension of the rules read a 3rd time and passed

Ayes Bell Buck Contraight, Travers Huffaker Johnson Mayhew, Stuart, Smith Speaker 11 Nays McConnack 1

The title was then Amended as follows read

The Montana Eclectic Gold & Silver Mining Co.

H B 121 Mr Bell introduced H B 121

"An Act concerning District Judges"

read the 1st & 2nd time and referred to Comt on Judiciary

H B 122 Mr Bell introduced H B 122

46th day

"An act authorizing Co Commissioners to pay Interest on Co Warrants" read the 1st & 2nd time & on Susp" of the Rules read the 3rd time & passed.

Ayes Bell Burt Courtright, Hinds Kupfuller Stinson Brayton Hunt Smith Mr Speaker 10. Nay Mr Connell 1 These being no objection the title was agreed to.

H B 123

Mr Bell introduced Bill 123

"An act granting additional compensation to the Attorney General and the first time on motion of Mr Brayton the Bill was rejected.

H B 124

Mr Courtright introduced H B No 124

An Act to legalize certain Acts of the people of Montana Terr" read the 1st & 2nd time & referred to Com" on Judiciary

The following Message was received from the Council

Council Chamber

Mr Speaker. Feby 6 1865.

I am directed by the Council to inform your Honorable Body that Action was had in the following Bills viz

C B. No 31. An Act relating to Counties & County Officers, House Amendments to said Bill were concurred in except Amendment to Sec 10 Line 16 Article 1st Striking out all of said Line after the Number "1865" & insert in all organized Counties

C B No 102 An act to increase the Number of members in the Council & House

C B No 102 An act to Incorporate the City of Nevada Amendments of House to this Bill were not Concurred in

C B No 34 An act to Increase the Number of Members in the Council & House of Representatives Amendments of House were not Concurred in and a Committee Consisting of Mess Bray & Thompson were appointed to Confer with a like number to be appointed by the House on said Bill and

45th day

respectfully asks the House to appoint the same

H B No 24, "An Act to Establish a Mayors Court for the Metes of Grand Isle Creek & Bridgewater" was read with this Amendment

Strike out Middleville wherever it occurs in said Bill and insert Hell Gate

H B No 117, An Act supplemental to an Act entitled an Act to Provide increased Compensation to Officers of this Territory passed Feb 6, 1865

C B No 107, An Act regulating the Fees of Officers Jurors and Witnesses passed Feby 6 1865

C B No 126, An Act Amendatory to an Act entitled an Act Concerning Conveyances passed Feby 6 1865

George Haynes
Sect of Council

Council Chamber
Feby 6 1865

Mr Speaker

I am directed by the Council to inform your Honorable Body, that Action was had on the following Bills viz

C B No 125 An Act relating to Quieting Title and Placer Mines passed Feby 4

H B No 111 An Act Concerning the Foreclosure of Mortgages passed Feby 4

House Amendments to Council Bills No 70 was Concured in by the Council Feby 4

House Amendments to Council Bill No 93 were Partly Concurred in & Committee was appointed on part of Council consisting of Messrs Potter & Merriman & ask the House to appoint a Committee of like number to Confer in relation to said Bill and report the same.—

George H Haynes
Secty of Council

45th day.

The following Message was received from the Council

Executive Office
Feby 6 1865

To the Hon Speaker of the
House of Representatives

Sir I have this day
approved the following House Bills viz
No 59. An Act to Incorporate the Beaver Island Ice
Company.
No 61. An Act to Incorporate the Rock Mill Creek
Ditch Company
No 78. An Act to Incorporate the East Gallatin
Town Company
No 85 An Act to Incorporate the East Jefferson
Town Comp'y
No 86 An Act to Incorporate the Town of Rock
Creek Valley
No 97 An Act to Incorporate the Ophir Ferry
Company
No 102. An Act Authorizing Certain persons to
Solemnize Marriage
No 113, An Act for the Compensation of Walter
N. Delaney for Services rendered
Also An Act just Numbered entitled an Act to
Incorporate the Missouri River Coal
Mining Company.

Respectfully
Sidney Edgerton
Governor

C.H.93. The House appointed a Committee of Three to
Confer with Council Committee in relation
to Council Bill No 93.
Johnson Huffaker and Courtright were
appointed said Committee.

C.H 123

Council Bill No 123 was read the 1st & 2nd time on motion
of Mr Buck. the following Amendments were made to said Bill
That after the Word the County Commissioners of the

45th day

Counties through which the road shall pass
may change the rates of Toll on the application
of fifty Citizens of either of said Counties"
The rules were then suspended and the Bill
read a third time and passed

Ayes Buck Courtright Faulds Huffaker
Johnson McComack Ryan Stuart Smith
Mr Speaker 10

The Title was agreed to there being no objection

The Joint Com on Enrollment have presented
H B No 57 & 91, to the Governor for his approval

Smith Chairman

C/C 121 Council Bill No 121 was read the 1st & 2nd time
& on suspension of Rules read a third time & passed
Ayes Bell Buck Courtright Faulds Huffaker
Johnson McComack Ryan Stuart Smith Mr
Speaker 11 Nays None
There being no objection the Title was agreed to

C B 120 Council Bill No 120 was read the first & second
" time & on the Question of the Rules read a third time & pass
Ayes Bell Buck Courtright Faulds Huffaker
Johnson Ryan Stuart Mr Speaker 9 Nays McComack
There being no objection the Title was agreed to

C B 125 Council Bill No 125 was read the 1st time & on
motion of Mr Stuart was laid on the table

C B 83 The Special Com to whom was referred C B No 83
find that it will not materially interfere with
any other Privileges granted & would report it
back to the House & recommend its passage,

Mayhew
Stuart
Buck Com

The Bill was then read a third time & passed
Ayes Buck Courtright Faulds Huffaker Johnson

45th Day

McCormack Ryan Stuart &
Mays Bell Mr Speaker 2

There being no objection the Title was agreed to

CB 90 The Committee on Incorporations to whom was referred
CB No 90 have had the same under consideration
and beg leave to report the same back to the
House & recommend its passage

Mayhew
McCormack Comtee
Buck

The Bill was then read a third time & passed
Ayes Bell Buck Courtright Faulds Kupferer
Johnson McCormack Stuart Ryan Mr Speaker 10
Nays Nine

There being no objection the Title was

CB 91 The Committee on Incorporations to whom was referred
HB 119 Council Bill No 91 & House Bill No 119 have had the
same under consideration & beg leave to report
them back to the House and indefinitely post-
poned. — Mayhew, McCormack Buck. Comt
CB 91 The House took up and read CB No 91 & indefinitely
postponed the same.

HB 119 House Bill No 119 having been read was
indefinitely postponed.

CB 112 The Committee to which was referred Council Bill
No 102 reported the same back and recommended
its passage

McKupfaher
M Courtright

The Bill was then read the third time and
passed

Ayes Bell Buck Courtright Faulds Kupferer
Johnson McCormack Ryan Stuart Mr Speaker 10 Nays 9

There being no objection the Title was
agreed to.

the
4th Day

The following Resolution was offered by Mr McConnack and adopted by the House

Whereas a certain Communication has appeared in the Montana Post over the Signature of "Franklin" Bearing date Bannack City January 27 1865 Charging certain Members of the Legislative Assembly from Madison County with Venality & Corruption and desiring to exonerate the Members of the Legislature from the false Slander Published by this libellous Scribbler and to show their Contempt for the Author of said Communication, Therefore be it Resolved by the House of Representatives of the Territory of Montana that the Author of said Communication is a wilful & malicious libeller & Calumniator of the Representatives of the people & that this House Pronounce the Charge of Corruption against Members of this Legislature a wicked wilful Malicious falsehood and Calumny

Resolved that a Copy of this Resolution be furnished the Editor of the Montana Post by the Clerk of the House with the Request that the Same be published

On Motion the House adjourned

Afternoon Session

House met Agreeably to adjournment Speaker in the Chair - Roll called. Absent Ryan

H B 125 House Bill No 125 introduced by Mr McConnack "An Act Repealing the Laws of Idaho Territory" read the first and Second time & on Suspension of the Rules read third time and passed Ayes Bell Buck Cunningham Faulon Huffaker McMahon McConnack Hunt Smith Mr Speaker 10 Nays Nine

There being no objection the Title was agreed to

C C 125 Council Bill No 125 was on Motion of Mr Buck Ayes

the
4th day

The Rules being suspended the Bill was read a 2nd time & a third time & referred to a Special Committee consisting of Messrs Mayhew Cartwright & Huffaker.

The Select Committee to whom was referred Council Bill No 96 find the following State of facts to exist that there is already a ditch constructed & situated along said proposed line for a distance of from three quarters of a mile as you will see by affidavit also that it would be injurious to a number of Claim Owners above said ditch or dam on account of back water

Shields
Huffaker
Johnson

The Report was received & the Com discharged The Bill was then read the 3rd time & put on its final passage and lost

Ayes - McConnell. Mayo Bell Buck Cartwright Shields Huffaker Johnson Mayhew Grant Smith Mr Speaker 10

On motion of Mr McConnell a Committee of two was appointed to meet the Committee appointed on behalf of the Council to take into Consideration C B No 96 & Messrs McConnell & Grant were appointed said Committee,

H B 126 Mr Mayhew introduced House Bill No 126 "An Act to Provide for Contested Elections" read the 1st & 2nd time and on Suspension of the Rules read a third time & passed

Ayes Bell Buck Cartwright Shields Huffaker Johnson Mayhew McConnell Grant Smith Mr Speaker 11 Nays Nine

There being no objection the title was agreed to

H B 127 House Bill No 127 introduced by Mr Bell

45th Day

On Motion authorizing County Auditors to take Acknowledgments of Deeds

Read the 1st time & Referred to the Committee on Judiciary

The Judiciary Com^t Reported Buck Horse Bill No 129 & Recommended its Passage Signed

McConnell

Mayhew

Buck

The Bill was then read the 3rd time & passed

Ayes Bell Buck Fields Johnson Mayhew Smith Swearingen

Nays Cartwright Shuffaker McComas Hunt 4

Those being the Reasons the Title was agreed to

Mr Speaker

Your Special Com^t ( ) to whom was assigned the duty of Ascertaining the Mileage and Pay of Members Clerks & Attaches of the Assembly have had the Subject under Consideration and have prepared a Tabular Statement for each House and hereunto Present the Same for your Consideration

Thompson on the part of the Council

Bell Cartwright on the part of the House

(See opposite page)

On Motion of Mr Buck the House adjourned

Pay Roll House of Representatives 1st Session of the Legislature Montana Territory

Names	Office	Residence	No of Miles	Per Mileage	Mileage	days	Per Pay	Mileage Pay	Total Mileage	Total Per
Deimler	Speaker	Silver city	440	$1.10	$.86	60	$720	$480	$568	$830
Bell	Brunetatin	Virginia City	160	40	32	60	720	240	272	760
Burch	"	Beaver Town	360	90	72	"	720	240	312	810
Countryman	"	"	360	90	72	"	720	240	312	810
Faulkner	"	Bannock City				"	720	240	240	720
Huffaker	"		160	40	32	"	720	240	272	760
Hunson	"	Missouri	400	100	80	"	720	240	320	820
Mayhew	"	Virginia City	160	40	32	"	720	240	272	760
McComack	"	"	160	40	32	"	720	240	272	760
Ryan	"	Nevada	160	40	32	"	720	240	272	760
Stuart	"	Cottonwood	240	60	48	"	720	240	288	780
Smith	"	Bannack City	"	"	"	"	720	240	240	720
Brown	Chief Clerk	Virginia City	160	40	"	"	660	240	240	700
Moreno	Assistant	Bannack City	"	"	"	"	660	180	180	660
Blake	Eng.	Virginia City	160	40	"	"	660	180	180	700
Robertson	Enrolg.	"	160	40	"	"	660	180	180	700
Barton	Asst	Bannack	"	"	"	"	720	"	"	720
Smith	"	"	"	"	"	"	720	"	"	720
Hill	Sergt at Arms	Virginia City	160	40	"	"	540	180	180	580
Haughey	Door Keeper	Bannack	"	"	"	"	420	180	180	420
Simkins	Fireman		"	"	"	"	720	"	"	720
Watson	Page		"	"	"	24	120	"	"	120
Edgerton			"	"	"	36	180	"	"	180
Carr	Chaplin		"	"	"	60	300	"	"	300

4th day House of Representatives
Feby 7 1865

House met agreeably to adjournment
Speaker in the Chair Prayer by the Chaplain
Role Called Absent Johnson Stuart
Minutes of last Meeting Read & approved

H B 131 Mr McCormick introduced H B 131
An Act apportioning the Members of the Legislative
Assembly of the Territory of Montana
Read the first and Second time
Mr Stuart offered the following Amendments
Sect 6 Line 4 Read 12 instead of 13,
Strike all of Sect 5
Sect 6 Line 4 Read 3 instead of 2
Ayes Buck Fields Johnson Smith 4
Nays Bell Courtright Huffaker Mayhew
McCormick Ryan Stuart, Speaker 8. Lost
Mr Johnson of Jefferson the Rules were
Suspended and the Bill read a third time
and Passed
Ayes Bell Courtright Huffaker Mayhew
McCormick Ryan Speaker 7.
Nays Buck Fields Johnson Stuart Smith 5
There being no objection the title was agreed to

H B 129 Mr Mayhew introduced H B No 129
"An Act Concerning Joint Rights Obligations"
Read the 1st and 2nd time and on Suspension
of the Rules Read the third time & passed
Ayes Bell Buck Courtright Fields Huffaker
Mayhew Ryan Smith Mr Speaker, Nays None
There being no objection the title was agreed to

H B 128 Mr Mayhew introduced House Bill No 128
An Act to provide for Vacancies in the Legislature
Read the first and Second time, rules Suspended
and the Bill read a third time & Passed
Ayes Bell Buck Courtright, Fields Huffaker

46th Day

Johnson Shaykett McCormack Ryan Smith Mr Speaker

11 Rays 9

There being no objection the title was agreed to.

H B 132 Mr Ryan introduced House Bill No 132

"An Act for the Better Observance of the Lords day

Read the first and Second time.

Mr Conkright moved to lay the Bill on the table

Lost

Mr Buck offered the following Amendments

Strike out Sect 4. where Justices of the

Peace decides, that it be stricken out and

insert any Court of Competent Jurisdiction

instead and Sect 5

This Act to take Effect

And be in force from and after its passage

The Amendments were adopted

The Rules were suspended and the Bill Read

a third time and Lost

Ayes Buck Faucett Johnson Ryan Smith 5

Rays Bell Conkright Hufstetler, Mayhew

McCormack Stout Mr Speaker 7

H B 130 Mr Smith introduced House Bill No 130.

An Act defining the duties of the Territorial

Auditor and Treasurer

Read the first and Second time

Mr Bell offered the following Amendment

Strike out of Line Sect 11 the word "five"

and insert the word "three" Lost

The Rules were suspended & the Bill Read a

third time and Passed.

Ayes Buck Conkright Faucett Hufstetler Johnson

Mayhew McCormack Ryan Smith 9

Nays Bell Stout Mr Speaker 3

There being no objection the title was agreed to

H B 133 Mr Buck introduced a Bill No 133

46th day

An Act to provide for the formation of Partnerships
read the 1st and 2nd time On suspension of
the Rules read a Third time and Passed
Ayes Bell Buck Cantright Frueco Johnson
Huffaker Mayhew McCormack Ryan Stuart
Smith Orr Speaker 12 Nays 9
There being no objection the Title was agreed to.

H B 134 An Act introduced & Once Bill No 134
"An Act granting relief to Taxpayers"
read the first and second time and on suspension
of the Rules read the third time & passed
Ayes Bell Buck Cantright Frueco Huffaker
Johnson Mayhew McCormack Ryan Stuart
Smith Orr Speaker 12 Nays Nine
There being no objection the Title was agreed to.

The following Message was received from the Council
Council Chamber
Orr Speaker Feby 6 1865
I am directed by the Council to
inform your Hon'ble Body that the following
Bills passed the Council this day viz
C B No 127, "An Act directing the Bonds of
Matrimony between James P Bigelow and
Martha M Bigelow
H B No 96, "An Act to Incorporate the Summit
Bridge Company.
H B No 98. "An Act authorizing Phin Lotzenhiser
to establish a Ferry across the
Missouri River
H B No 93 An Act directing the Bonds of
Matrimony between Geo Colwell
and Nancy A Howard
H B No 91 An Act directing the Bonds of
Matrimony between William Gibson
and Elizabeth Gibson.
H B No 92 An Act directing the Bonds of Matrimony

16th day

between Charles Bartholomew & Bertha Bartholomew his wife

H B No 116, An Act dissolving the Bonds of Matrimony between Henry C Wright & Margaret J Wright

Resolution No 9 Declaratory of the duties of the Commrs of Madison County in a Special case

George L Haynes

Sect of Comal

C B 31 On motion of Mr Burt the House receded from its Amendment to Council Bill No 31 inserting in all organized Counties" &c

H B 135 Mr Bell introduced House Bill No 135 "An Act for the Relief of the Poor" read the first and second time, rules suspended and the Bill read a third time and passed Ayes Bell Burt Cantwright Fowler Hufstetler Johnson McCormick Gray Lee Pegau Strait Smith (Mr Speaker) 12, Nays None,

There being no objection Hostetter was agreed to

On motion of Mr Burt the House adjourned to 2 o Clock P M,

Afternoon Session

House met agreeably to adjournment, Speaker in the Chair Roll called Absent Cantwright Grayson Mc Cormick Strait

H B 103 The Committee on Ways & means to whom was referred H B No 103 "An Act Concerning Licenses, have had the same under consideration and beg leave to report the Bill back and recommend the following as a Substitute, which is not to after the enacting Clause & recommend its passage

Smith

Pegau & Strait

Johnson

The substitute was read. Mr Pegau offered an

46th day

Council met, but

the Bill was then read a third time and on

the Question of the Rules passed,

Ayes Bell Buck Fisher Huffaker Johnson

Mayhew McCormick Stuart Smith 9

Speaker 10 Hays Armitage Ryan 2

There being no objection the Rules were agreed to

Council Chamber Feby 7

Mr Speaker Feby 7 1865

I am directed by the Council to inform

your Honble Body that the following Bills passed

this day

H B No 108, An Act to Incorporate the Montana

Mining Co with Amendment which is

transmitted with the Bill

H B No 119, An Act to Incorporate the Gravelly Gulch Drain

Ditch with Amendment which is herewith transmitted

H B No 120 An Act to Incorporate the Montana Gold &

Silver Mining Co with Amendment which

is herewith transmitted

H B No 128, An Act to provide for Vacancies in the Legislature

H B. No 129, An Act Concerning Joint Rights & Obligations

H B No 131 An Act apportioning the Members of the

Legislature Assembly of the Territory of Montana

H B No 106, An Act defining the Judicial Districts of Montana

Territory and adjacent Portions.

Act Resolution No 10, Relating to the Repeal of the

Laws of Idaho Passed this day

House Concurrent to Council Bills Nos 102 & 123

were concurred in by the Council this day

George A Haynes

Sect of Council

C B No 124, An Act to Incorporate the Montana

Town Co's Passed this day

George A Haynes

Sect of Council

26th day

The following Message was received from his Excellency the Governor

Executive Office
Barnard Castle
Feby 2nd 1865

To the Hon Speaker of the House of Representatives

I have this day signed House Bills No 91 "Criminal Practice Act" House Bill No 91 "An Act to Incorporate the Peter Pan Mining Co"

Respectfully Yours
Sidney Edgerton
Governor

H B 12 The Committee on Incorporations to whom was referred H B No 12 have examined the same & recommend its passage with the following Amendments, viz to Strike out Provided that nothing in this Act shall be so construed as to permit the parties claiming the same to infringe upon or interfere with prior rights acquired or guaranteed.

A J Mayhew
Wil McCormack
L N Buck

The Bill was then read with the Amendment made by the Committee, the Amendment was agreed to the Rules Suspended and the Bill read a 3rd time and Passed.

Ayes Bell Buck Courtright Hufsteter Johnson Mayhew McCormack Ryan Stuart & Vega Smith Taylor Pro Speaker 3.

There being no objection the Bill was agreed to.

C Bill 29 Council Bill No 29 was read the 1st and 2nd time and on Suspension of the Rules read a 3rd time and Passed

Ayes Courtright Hufsteter Johnson Mayhew McCormack Ryan Stuart Smith & Vega Bell Buck Taylor 3, There being no objection the Bill was agreed

26th day

The Joint Committee on Enrollment have presented the following Bills to the Governor for approval.

H.B. Nos 89. 108 111. 112. 114. 117. 71. 72. 73. & 116.

Smith Chairman

CJR 9 Council Joint Resolution No 9 having been read on motion of Mr Grant it was indefinitely postponed

HB 120 House Bill No 120 having been passed with the Amendments made by the Council. The Amendments were agreed to and the Bill ordered Engrossed. —

CJR 10 Council Joint Resolution No 10 was read the first and second time and on Suspension of the Rules read a third time and Passed.

Ayes Bell Buck Cartright Faulk Hutchinson Johnson Mayhew McConnell Ryan Grant Smith Mr Speaker 11. Nays 1

There being no objection the Title was agreed to

HB 118 House Bill No 118 was read with the Amendments made by the Council the Amendments were agreed to and the Bill ordered Engrossed,

HB 119 House Bill No 119 was read with the Amendments made by the Council the Amendments were agreed to and the Bill ordered Engrossed,

CB 124 Council Bill No 124 was read the 1st & 2nd time and on Suspension of the Rules read a third time and Passed. —

Ayes Cartright Hutchinson Johnson Mayhew McConnell, Ryan Grant Smith Mr Speaker 9

Nays Bell Buck Faulk 3.

There being no objection the title was agreed to.

CB 125 The Committee on Judiciary to whom was referred CB 125 and recommend it pass with the following Amendments

46th Day

Read to last the following

Provided that Mining claims shall not be laid over during the month of May June July August September and October of each year

McCormack
Mayhew } Cont.
Buck

The Amendments were agreed to & the Rules Susp'd
The Bill read a third time & passed.
Ayes Bell Buck Courtright Fowler Hurlbert
Johnson Stuart Smith Mr Speaker 9
Nays Mayhew McCormack Ryan 3
The Title was then agreed upon,

C B 112 On motion of Mr Ryan the House receded from its Amendments to Council Bill No 112

C B 74 The Committee of Conference appointed on the part of the House and Council on C B No 74 beg leave to report that they have failed to agree upon said Bill

Ryan & Thompson on part of Council
McCormack & Hurst on part of House

On motion of Mr Buck the Report was received and the Committee discharged.

H B 134 Mr Courtright introduced House Bill No 134 "An Act to dissolve the bonds of matrimony existing between Henry D Moyer and Abigail Moyer his wife"

Read the first & second time & on suspension of the Rules read the third time & passed,

Ayes Courtright, Fowler, Hurlbert, McCormack Ryan Stuart Smith 7. Nays Bell Buck Johnson Mayhew Mr Speaker 5.

There being no objection the Title was agreed to.

H B 135 Mr Courtright introduced H B No 135 An Act to

46th Assy

Incorporate the Calefornia Mining Corpy.
read the 1st and 2nd time & on suspension of
the Rules read the third time and passed,
Ayes Bell Buck Courtright Faulds Huffaker
McCormack Ryan Orr Spencer &
Nays Dobson Mayhew Strait Smith &
There being no objection the title was agreed to

The following resolution was received from the Council

Council Chamber
Feby 6 1865

The following Resolution passed

Resolved by the Council the House of
Representatives concurring That the Auditor
be instructed to issue his warrants to Members
Clerk and Attaches of the Legislative Assembly
according to the Report of the Joint Committee
upon Pay and Mileage

George A Haynes
Clerk of Council

The House adopted the Resolution unanimously

Mr McCormack offered the following
Resolution which was adopted

Resolved by the House of
Representatives the Council Concurring that the
Territorial Auditor be requested to draw his
warrants in favor of A J Oliver for the sum
of twenty three dollars for Newspapers furnished
the House of Representatives

On motion of Mr Faulds the House adjourned

49th day House of Representatives
Feby 8th 1865
House met agreeably to adjournment
Speaker in the Chair Prayer by the Chaplin
Roll Called Absent Courtright Johnson Smith
Minutes of last meeting read & approved

H.B 12 The Committee on Engrossment have examined
H.B No 12 & report the same correctly engrossed.
P Ryan
Chairman

H.B 136 Mr Courtright introduced H.B. No 136
" An Act to dissolve the Bonds of Matrimony
existing between Peter Greenich & Mrs E Greenich
Read the 1st & 2nd time & on suspension of the
Rules read a third time and passed
Ayes Courtright Faulds Huffaker Johnson
Mayhew McConnell Ryan Smith &
Mayo Bell Buck Stuart Mr Speaker 14
There being no objection the title was agreed to

H.B 137 Mr Buck introduced House Bill No 137
An Act to Amend An Act granting to Franklin
Ruff, James Heiden Antoine Plemen the right to
have & maintain a ferry and Bridge across Jefferson
River on the Road from Virginia City to Fort Benton
and Richly Bar, Read the 1st & 2nd time & on suspension
of the Rules read a third time & passed "
Ayes Bell Buck Courtright Faulds Huffaker
Mayhew McConnell Ryan Stuart Mr Speaker 10
Mayo Johnson Smith 2,
There being no objection the title was agreed to

H.B 138 Mr Buck introduced H.B 138
An Act to Incorporate the Jefferson Bridge Company
Read the 1st & 2nd time Rules suspended and
read a third time and passed,
Ayes Bell Buck Courtright Faulds Huffaker
Mayhew McConnell Ryan Stuart Mr Speaker 10

47th day

Hon. Speaker

The Title was agreed to

The following messages were received from the Council

Council chamber

February 8 1865

Mr Speaker

I am directed to inform your Honorable Body that the following Bill & Resolutions passed February 7th viz

H B No 122. An act to authorize County Commissioners to pay Interest on County Warrants

C J R No 11. In reference to the terms of Court in the 2nd Judicial district

C J R No 12 In reference to terms of Court in the 3rd Judicial District

George A Haynes

Asst of Council

Council Chamber

Feby 8th 1865

Mr Speaker.

I am directed to inform your Honorable Body that the Amendments of House to C B 125 were not concurred in by the Council and that the following Resolution was adopted in reference to same

Resolved by the Legislative Council of the Territory of Montana that the House of Representatives be requested to recede from its from its Amendments to C B 125

George A Haynes

Asst of Council

C J R 11 Council Joint Resolution No 11

was read the first and second time by suspension of the Rules read a third time and passed

Ayes Bell Buck Cowan Foulds Huffaker Johnson Haynes McConnack Ryan Stuart Smith H, Mayo Mr Speaker

47th day

Executive Office
Bannock City
Feby 8 1865

To the Honorable Speaker of
the House of Representatives

I have this day Signed the following House Bills viz: 82 An Act to establish a Wagon Road under the Style of the Stinson Wagon Road Co

No 96 " To Incorporate the Lemhi Bridge Company

No 98 " An Act Authorizing Alvin Hagerdizer to establish a Ferry across the Missouri

No 107 " To Incorporate the Lemhi Gold & Silver Mining Company

No 120 " An Act to Incorporate the Montana Gold and Silver Mining Comp

No 128 " To Provide for Vacancy in the Legislature

No 129 " An Act Concerning Joint Rights & Obligations

Respectfully
Sidney Edgerton
Governor

Robert Hill
Private Sec'y

12 Council Joint Resolution No 12 was read the 1st & 2nd time
The following Amendment was offered by Mr Beck
Strike out first Monday in July and insert the third Monday in Sept
Amendment adopted
The Rules were then suspended & the Bill read a third time and Passed
Ayes Bell Beck Chadwick Fenton Huffaker Johnson Mayhew McConnell Ryan Stuart Smith 11
Nays Mr Speaker 1

The Joint Committee on Enrollment have Presented the following House Bills to the Governor for his approval
No 120. 16. 131, 96. 98, 24. 128, 129, 107

Smith Chairman

B 109 Council Bill No 109 was read the first and second time
Mr Mayhew offered the following Amendment

47th day

This Act to take Effect and to be in force from & after its passage. Amendment adopted

The Rules were then suspended & the Bill read a third time and passed

Ayes Bell Beck Cartright Fowler Johnson Mayhew McDermott Short Smith Tyson Pres Speaker 11, Nays None

The Title was agreed to

The following Message was received from the Governor

Executive Office
Bennett City
Feby 5th 1865

To the Honorable Speaker
of the House of Representatives

I have this day signed the following House Bills viz

Ch 91, An Act to dissolve the Bonds of Matrimony subsisting between William & Elizabeth N. Gibson

Ch 92 An Act to dissolve the Bonds of Matrimony between George Edward & Lucy G. Howard

Ch 93, Charles and Esther Bartholomew

Ch 93, An Act dissolving the Bonds of Matrimony between George Edward & Lucy G. Howard,

Ch 99, An Act to Incorporate the Virginia City and Canon Creek Wagon Road Comp

Ch 108 An Act to Incorporate the Ottawa Mining Co

Ch 111, An Act Concerning the Foreclosure of Mortgages

Ch 112 An Act Concerning Inquiries from Juries

Ch 114 An Act to Incorporate the Silver Bow Mining Co

Ch 116, An Act to dissolve the Bonds of Matrimony Between D. C. and Margaret A. Wright

Ch 117, An Act Supplemental to An Act Entitled An Act to Provide increased Compensation to Officers of the Senate

Respectfully
Sidney Edgerton
Governor

Robert Hill
Exec Secy

4th day

H.B 124 The Committee on Judiciary to whom was referred
H.B No 124 have had the same under Consideration and
beg leave to return the Bill back to the House for such
Action as it may think Proper

McCormack
Mayhew
Burk — 3 Com

The Bill was then Put on its final Passage
Lost

H.B 125 Mr Mahew made a Motion to Recede from House
Amendments to Council Bill No 125
Motion Lost

The following Resolution offered by Mr Smith was
adopted

Resolved that the Council be invited to
meet the House of Representatives in Joint Convention
at 10 oclock A.M. on the 9th inst to Elect a
Secretary Auditor, Treasurer and Superintendent
of Public Instruction,

On Motion of Mr Huff the House adjourned to
2 oclock P.M,

Afternoon Session
House met agreeably to adjournment
Speaker in the Chair
Roll called Absent, Ryan & Scott Smith

H.B 126 Council Bill No 126 was read the 1st & 2nd time
and on Suspension of the Rules read a 3rd time and
Passed
Ayes Bell Burk Daniels Huff Miller Johnson Mayhew
McCormack Mr Speaker Nay Mr Constantine

On Motion of Mr McCormack the Title was changed so
as to read "An Act in relation to Conveyances"

By the Hon

The following Message was received from the Governor

To the Honorable Speaker of the House of Representatives Sir

I herewith return Gov. House Bill No 131.

Entitled An Act apportioning the Members of the Legislative Assembly of the Territory of Montana

For Objections to this One

First That the Increased Representation is not required by the people. If the population of the Territory is 20.000 the present Representation gives One Representative for every One thousand persons and should our Population increase to forty thousand next fall the present Representation would be one Representative for every One thousand persons, which is certainly a Very liberal Representation

In the second place I object to this Bill for the reason that such increased Representation will greatly increase the Expences of the Territory I submit to you will it be wise to throw the additional burthen of fifteen or sixteen Hundred Dollars upon the Treasury of our Young Territory when the increased Representation is not required & would add Nothing to the Efficiency of Legislation

Respectfully Yours
Sidney Edgerton
Governor

Bill 139 Mr Bell introduced House Bill No 139
An Act granting Compensation to C S Lockett
Read the first and second time
Rules suspended read a third time & passed
Ayes Bell Burt, Sands, Huffman Johnson
Emmons Carpenter 7
Nays Cowtright Dempsey 2
The bill was agreed to

4th day

The following Message was received from the Governor.

Executive Office
Bannock City
Feby 1865

To the Honorable Speaker of the House of Representatives

I beg leave to return herewith with my objections House Bill No. (without number) entitled an Act to regulate Proceedings in Cases of Justice in the Territory of Montana

Section 4th Section of this Act is numbered 324 wherein it is attempted to grant rights & Privileges to Chinamen Indians and persons of African descent which the same Section denies to white men, I am fully aware of the patriotic Course pursued in the present Civil war by the Negro population of the United States entitling them to the lasting gratitude of the Nation but I cannot acknowledge that those services are of more value or more unselfish than similar Labors performed by white men.

And if in this respect the Honorable Members of the Legislative Assembly should differ with me I submit that this would not justify the invidious distinction against the white race in this Act attempted,

Why should the litigant Negroes have greater facilities afforded them by Law to show to a Jury the facts upon which they base their most important rights than two white men similarly circumstanced?

Our Juries & Courts are composed exclusively of White men & I consider the Caucasian Race competent to weigh Evidence coming from any witness of any race wisely justly and well.

I feel it my duty to meet at the threshold this effort at Class Legislation to Claim for

47th day

the whole case the right which you accord to the Negro, the right to introduce the evidence of any and every description tending to establish the right of the Legislature to pass remedial laws Some might see not respect some further infringement upon the rights of whites

The especial privileges of the Negro should be satisfied that the African has an equal right in Court and should not thus attempt to assert for him a legal supremacy.

If this species of legislation is to be practiced I greatly fear that the Negro population of the States now evidently a floating population will swarm hither in vast numbers to enjoy special favors which are thereby accorded them.

When Suitors in our Courts earnestly ask why they may not have been according to them the right to use the evidence of a Negro to establish their rights will it be a satisfactory answer to such interrogator to say because you are a white man

While sympathizing with the ardent patriotism of the honorable Members of the Assembly in their laudable desire to recognize and reward in some fitting manner the unselfish devotion to our Country and flag displayed by the African Race yet I will not allow that sympathy to lead one to forget from the obvious Rules of Common Justice as to permit this infringement upon the rights of any one White Race.

I hope the Two Houses of the Assembly will yet so amend this Section as to grant to white persons the privileges in the Section as it now stands granted only to Colored persons. And I would respectfully submit that the passage of a Joint Resolution by your Honorable Bodies tendering to the Negroes the thanks of this Territory for their heroic sacrifices and labors for the preservation of the Republic

49th day

will in a less objectionable manner accomplish all you contemplate by the passage of the Section I cannot approve

Respectfully

Sidney Edgerton

Governor

C B 125 On motion of Mr Smith a Committee of Conference was appointed on Council Bill No 125.

The Committee Consisted of Messrs Smith McComas and Strait

The following Message was received from the Council Chamber

Mr Speaker Feby 8 1865,

I am directed by the Council to inform your Honorable Body that the following Bills passed this day February 8th

C B No 118, An Act to incorporate the Madison County Coal Company

C B No 125, An Act relating to Imprisonment for debt

C B No 126 An Act to Incorporate the Grasshopper Canon Road Company

H B No 103, An Act Concerning Licenses passed with Amendments Strike out the last three lines of Sect 1 also all of Sect 4

H B No 110 An Act to Incorporate the Madison County Mining Company passed with this Amendment Strike out Sect 6

H B No 130 An Act defining the duties of the Territorial Auditor and Treasurer of the Territory of Montana,

Geo A Haynes

Sec of Council

H B 103 House Bill No 103, was read with the Amendments made by the Council. The Amendments were agreed to and the Bill ordered Engrossed.

4th day

C B 128 Council Bill No 128 was read the first & second time and on suspension of rules the third time & passed
Ayes Bell Buck Courtright Fowler Huffaker
Johnson Mayhew Ryan Stuart Smith Van Sheaffer
11 Nays McConnell 1

The title was agreed upon. —

H B 116 The Committee on Judiciary to whom was referred H B 116 have had the same under consideration and beg leave to report the Bill back to the House with the recommendation that it pass without amendment

McConnell & Mayhew
Buck committee

The Bill was then read a 3rd time & passed
Ayes Bell Buck Courtright Fowler Huffaker
Johnson McConnell Ryan Smith Van Sheaffer 10
Nays Mayhew Stuart 2

The title was agreed to

C B 118 Council Bill No 118 was read the first and second time

Mr Buck offered the following amendment
Strike out the words Senate in sec 6
Amendment adopted

The Rules were then suspended and the Rules Bill read a third time by title & passed
Ayes Bell Buck Courtright Fowler Johnson
Huffaker Mayhew McConnell Stuart Smith
McSpadden 11 Nays Nine

The title was agreed to

H B 142 House Bill No 142 introduced by Mr Johnson
An Act Concerning Partition of Real Estate read the 1st and 2nd time & on suspension of the Rules read the 3rd time & passed,
Ayes Bell Buck Courtright Fowler Huffaker
Johnson Mayhew Ryan Stuart Smith McSpadden 11
Nays McConnell 1, The title was agreed to

47th day

C.B. 129 Council Bill No 129 was read the 1st & 2nd time viva voce on suspension of the Rules read the third time and ~~passed~~ lost

Mr Courtright moved to reconsider the vote by which C.B. 129 was lost Carried.

The Bill being again put on its final Passage Passed

Ayes Bell Courtright Faulds Huffaker Johnson Mayhew McConnell Ryan Stuart & Smith 10

Nays Brett Mr Speaker 2

The Title was agreed to

H.B. 143

" House Bill No 143 introduced by Del Mayhew An Act Concerning fraudulent Conveyances and Contract read the first and second time & on Suspension of the Rules read a third time and Passed

Ayes Bell Brett Courtright Faulds Huffaker Johnson Mayhew McConnell Ryan Stuart Smith Mr Speaker 12 Nays (nine)

The Title was agreed to

C.B. 94 The Select Committee to whom was referred C.B. 94 beg leave to report the same back and recommend it do not pass. Your Committee have conversed with a number of the Residents of Marysville & have failed to find any one in favor of the passage of the Bill

Smith
Stuart
Faulds Comt

C.B. 94 The Bill was then read a third time for information and being put on its final Passage was lost

Ayes Bell McConnell Ryan 3

Nays Brett Courtright Faulds Huffaker Johnson Mayhew Stuart Smith Mr Speaker 9

C.B. 125 The Committee of Conference to whom was referred

49th Day

Council Bill Co 125 have had the same under Consideration and beg leave to suggest to the House of Representatives the importance of the Legislature passing such a Bill and respectfully request the House to recede from its Amendments to said Bill

Buzz Merriman of Council
Smith McCormack
Stuart } of House

The House refused to recede from its Amendmant to C B No 125

The Joint Comt on Enrollment have Presented the following Bills to the Governor for his approval
H B No 122, 115, 119, 75, 110, 130,

Smith
Chairman

On motion of Mr Mayhew the Bill without Number and the Veto Message were taken up & read
The question being on the Passage of the Bill over the Governors Veto the bill having received two thirds of the Votes of the House the Speaker declared the Bill Passed

Ayes Bell Buell Cartright Jones Huffaker Mayhew McCormick Ryan & Stuart Mr Speaker 9
Nays Cantright Johnson 2

H B No 131 was then taken up with the Message returned by the Governor containing his Objections
The question being shall the Bill Pass over the Governors Veto,

Ayes Bell Buell Huffaker Mayhew McCormick Ryan Mr Speaker 7
Nays Cantright Jones Johnson Stuart Smith 5
There not being two thirds of the Votes in favor of the Passage of the Bill, it was declared lost by the Speaker

On motion of Mr Huffaker the House adjourned

House of Representatives
Feby 9 1865

48th day
House met
Speaker in the chair Prayer by the Chaplin
Roll called Absent Fauntleroy
Minutes of last meeting read and approved

H B 144 Mr Fowler introduced House Bill No 144
An Act concerning Conveyances
Read the first and second time
Rules Suspended read a third time passed
Ayes Bell Buck Fowler Cowdrey Hufford
Johnson Mayhew Ryan Scott Smith
Mr Speaker 11 Nays 9.
The Title was agreed to

H B 115 House Bill No 115 was read with the Amendments
made by the Council.
The Amendments were agreed to and the Bill
ordered Engrossed

H B 134 House Bill No 134 was read with the Amendments
made by the Council
The Amendments were agreed to & the Bill ordered Engrossed

H B 12 House Bill No 12 was read with the Amendments made
by the Council
The Amendments were agreed to & the Bill ordered Engrossed

The following Message was received from the
Council

Council Chamber
Mr Speaker Feby 9 1865
I am directed by the Council to
inform your Honorable Body that the following
Bills passed Feby 9
H B No 12. An Act to Incorporate the Junction &
Black Tail Deer Creek Mayon
Road Company with Amendments

43rd day

which is herewith transmitted

H B No 15, An Act to provide Compensation for Harry Bruno in preparing Civil and Criminal Code of Montana Terry with Amendment which is herewith transmitted

H B No. An Act relating to Town

H B No 133, An Act to provide for the formation of Partnerships

H B No 134. Granting relief to Thos Rogers with Amendments transmitted

H B No 136 An Act to Incorporate the California Mining Company

H B No 130. An Act relating to the support of the Poor.

H B No 137. An Act to dissolve the Bonds of Matrimony existing between Peter Resnick & Bro & Resnick

H B No 138, An Act to Amend an Act entitled an Act granting Franklin Ruff and others Certain Rights.

H B No 139. An Act to Incorporate the Jefferson Bridge Comp.

H B No 140, An Act to dissolve the Bonds of Matrimony between Henry D Noyes and Abigail Noyes his wife

H B No 141. An Act granting Compensation to C A Sackett

H B No 142, An Act Concerning Partition of Real Estate

H B No 146. An Act Concerning fraudulent Conveyance and Contracts

J R. In favor of A J Vivier was Concurred in by the Council with Amendment which is herewith transmitted

C J R In reference to holding term of Court in the 3rd Judicial District and upon one Concurring in Gen A Hayes Act of Council

48th day

House Joint Resolution in favor of A J Olivet being under Consideration with the Amendments made by the Council

Mr Mayhew offered the following Amendment to the Amendment made by the Council Strike out of said Council Amendment "And Dr M Tilton Vol 17 50 for papers furnished the Council" the Amendment was Agreed to And so Amended the Resolution was agreed to

Mr McComas offered the following Resolution Resolved

By the Council & House of Representatives of the Territory of Montana that all of Section 10 of C B No 31 intitled an Act in Relation to Counties and County Officers after the word "Provided" in Line Twenty be Stricken out including the word Provided"

Resolution adopted

On Motion of Mr Mayhew a Committee of two was appointed Consisting of Mess Mayhew & McComas to inform the Council the House was in Waiting ready to Receive them in Joint Convention.

The Council appearing the Two Houses went into Joint Session The President of the Council in the Chair

The Roll of the Two Houses having been called All Present.

Mr Smith Made a Motion that the Clerk of the House act as Secretary of the Joint Session Carried.

Mr McConnell of the House Moved Sir that the Joint Convention Proceed to Elect the Officers by Ballot - Lost

The Sergeant at Arms was Sent after a Copy of the Law Providing for the Election of the said Officers by a Joint Convention of the Two Houses

4th day

The Law having been read.

On motion of Mr Worden of the Council the Convention proceeded to elect a Territorial Auditor.

Mr John Lott was nominated by Mr Countryman

Mr McHagerman was nominated by Mr McCormack

The votes stood.

For John J Lott 13 votes

For E McHagerman 6 votes

On motion of Mr Bagg of the Council John J Lott was declared the unanimous choice of the Convention for Montana Auditor

The Convention then proceeded to the election of Territorial Treasurer.

George B Porter was nominated by Mr McGinnis

J G Bruce was nominated by Mr Thompson

The vote resulted as follows.

For George B Porter 12 votes

For J G Bruce — 7 votes

On motion of Mr Worden the Convention declared George B Porter their unanimous choice for Territorial Treasurer

The Convention then proceeded to the election of Superintendent of Public Instruction

Prof Dunsdale was nominated by Mr Merriman

J F Dimsdale was nominated by the President.

Mr Lawrence

The votes being Counted resulted as follows

For Professor Dunsdale 5 votes

For J F Dimsdale 14 votes

On motion of Mr Merriman of the Council

J F Dimsdale was declared the unanimous

choice of the Joint Convention for Superintendent

of Public Instruction

On motion of Mr Bagg the Convention

adjourned,

When the Council withdrew the House resumed its sitting.

48th day

H 13 145 Mr McCormack introduced House Bill No 145
An Act for the Relief of Robert Hereford
read a first and second time.
Mr Faucett offered to amend as follows
Strike out the word "Five Hundred" and insert
"One Hundred" Carr.
the Rules were then suspended & the Bill passed,
Ayes Bell Buck Courtright, Faucett Heffner
Johnson Mayhew McCormack Ryan Stuart Smith
Mr Speaker 11 Nays 9
The title was agreed to

On motion of Mr McCormack the House adjourned to 2 o'clock P.m.

Afternoon Session
Speaker in the Chair
House Met
Roll called Absent Courtright McCormack Ryan

The following Communication was received from the Council

Council Chamber
Mr Speaker Feby 9. 1865

I am directed by the Council to inform your Honorable Body that action was had in the Governors Message in relation to an Act
To regulate Proceedings in Civil Cases in the Courts of Justice of the Territory of Montana and the Bill passed the objections of the Governor to the contrary notwithstanding
H B No 144. An Act concerning Conveyances Passed
Resolution of the House respecting a portion of Sect 10 of C B No 31. —
In relation to an Act relating to County and County Officers was concurred in by the Council this day.

George A Haynes
Clerk of Council

48 day

The following Message was received from the Governor

Executive Office

Bannack City

To the Honorable Speaker of the House of Representatives — Feby 8 1865

Sir I have this day signed the following House Bills viz

No 75 — An act to incorporate and establish the Idaho & Montana Toll Road Comp

No 110, An act to Incorporate the Madison Co Mining Co,

No 118, An act to incorporate the Virginia Mining Co,

No 119, An act to Incorporate the Grasshopper Placer Mining Co

No 122 An act Authorizing County Commissioners to pay Interest on County Warrants

No 130 An Act defining the duties of Territorial Auditor and Treasurer of the Territory of Montana

Yours Respectfully

Sidney Edgerton

Governor

Rob't Hill

Asst Sec'y

On motion of Hon Mc Cormack the House adjourned to 7 O'clock P.M.

Evening Session

Speaker in the Chair

House met

Roll called Absent Bell Fiscus, Hufsaker Johnson Mc Cormack Stuart

The following Message was rec'd from the Council

Council Chamber

Feby 9 1865

Mr Speaker

I am directed by the Council to inform your Honorable Body that the following Bills passed this day viz

CB No 131, An act to amend an Act entitled

48th day.

Concerning Counties and County Officers

H B No 145

An Act for the Relief of Robert Vaughan

The vote Passing House Resolution in relation to C B No 31 An Act Concerning County & County Officers were reconsidered and said Resolution indefinitely postponed

C B 131 Council Bill No 131 was read the 1st and 2nd time the Rules suspended, read a third time and Passed

Ayes Bell Buck, Courtright Johnson Mayhew McConnell, Ryan Strand Smith Speaker 11

Nays None

There being no objection the title was agreed to

The following message was received from the Council

Council Chamber

Feby 9 1865

Mr Speaker

I am directed by the Council to inform your Honorable Body that the following Bills passed this day

H B No 126

An Act to Provide for Contested Elections

C B No 132

An Act directing the auditor to issue certain Warrants

George A Hayne

Asst of Council

C B 132 Council Bill No 132 was read the 1st and 2nd time Rules suspended read a 3rd time and passed

Ayes

Bell Buck Courtright Johnson Mayhew McConnell Ryan Strand Smith Mr Speaker 9

Nays, Courtright Huffaker 2

The Title was agreed to,

H & the day

The following Message was received from the Council

Council Chamber

Gov & Recorder Feby 9 1865

I am directed by the Council to inform your Honorable Body that the following Resolution passed the Council this day

Resolution

In reference to the ~~Seal~~ of Montana Territory

Clerge A Hayne
Seal of Council

On Motion of Gov Vaughan the House took Council Resolution in relation to the Seal of Montana Territory under Consideration

Read 1 & 2 time Rules suspended read a 3rd time and passed.

Ayes Bell Buck Courtright Fales Huffaker Hmason Clagett Gov McConnell R. Ryan Steel Smith. Gov Spencer 12. Nays 0.

The final Committee on Enrollment have Presented the following Bills to the Governor for his approval,

House Bills Nos 103. 141. 88. 137. 138. 115. 140 134. 133. 137. 135. 12. 144. 146. 66. 142. 145. 136 143 & 126.

Smith Chairman

H B 147 Mr McConnell introduced House Bill No 147 to Provide extra Compensation to Haynes & Brown read first and second time

On Motion of Mr Maylard the Bill was laid on the table indefinitely

On Motion of Mr Smith a Committee of Two was appointed to wait on the Council & enquire if they had any thing further to communicate

4th day
to the House
Mess Smith and Bell were appointed their
Committee

A Committee for the Council waited on the House
enquiring if the House had anything further
to Communicate to the Council
The House had nothing further to Communicate

The Committee appointed to wait on the
Council returned and reported the Council
had nothing further to Communicate

The House took a Recess of one hour
at the end
of the Hour the Speaker resumed the Chair

Mr McDonnell Offered the following Resolution
Resolved

By the Members of the House of
Representatives that a Vote of Thanks be tendered
the Honorable Speaker of the House George Dewdney
for the Courtesy and impartiality that have
Characterized all of his Acts towards Members
of this House as a Presiding Officer.
Resolution adopted

The following Resolution was adopted by the
House

Resolved that the Thanks of the House
be tendered the Chaplin McCarr for the
Sincere he has Manifested for our
welfare

Mr Pitt Offered the following Resolution adopted
Resolved That McEmerton the Page of this House
receive the Thanks of its Members for the
faithful manner he has discharged his duties

4th day

The following Message was received from the Governor,

Executive Office
Carson City
Feby 5 1865

Mr President & Members of
the Senate & Representatives

Sir, I have this day signed
the following Bills viz

An Act Concerning Limitations
" 88 An Act to Incorporate the Gallatin Ferry Co
" 103. Concerning Licenses
" 134, Granting Relief to Lot Sayers
" 135 Relating to the Poor
" 133, An Act to Provide for the formation of
Partnerships
" 136 To Incorporate the California Mining Co
" 137 To dissolve the Bonds of Matrimony between Peter Gressich & E Gressich his wife
" 140, To dissolve the Bonds of Matrimony
between Henry & Inoyer & Abigail
Inoyer his wife
" 138 To Incorporate the Jefferson Bridge Co
" 141 To Incorporate Hillcrest,
" 140 Concerning Partition of Real Estate
" 142, Concerning Fraudulent Conveyances & Contracts
" 144 For the Relief of Robert Hereford
" 146, Relating to Jurors
" 126 To Provide for Contested Elections
" 115 To compensate Henry Burns

Yours Respectfully
Sidney Dixon
Governor

Retired
Privately

On Motion of Mr McCormick the Serjeant at Arms was instructed to Notify the Council that the House would be ready to adjourn in ten minutes

Leg 6th

A Message was received from the Council Notifying the House they were ready to adjourn in ten Minutes

On Motion of Mr McCormack the House Resolved to adjourn at 30 Minutes past 10 O'clock this PM

Minutes of this day read and approved

The House thirty Minutes past ten O'clock having adjourned the Speaker declared the House adjourned this day

George G Stephens Asst Clerk House of Representatives